

C.R.(NDPS) No.9/26 (CIS No- 09/26)

Order no.09

Dated- 06.05.2026

Today is fixed for production and IO report.

Both the accused persons are produced through VC mode.

Separate bail petitions are filed and moved for the accused persons Bimal Das & Ranjit Basak @ Kamal Karmakar. Copy served.

Heard both sides present. Considered.

The Ld. Advocates for the accused persons prays for bail on the ground of their long detention in custody and false implication. The provision U/S 50 of the NDPS Act is found to be violated. No option notice was given in this case in presence of the Gazetted Officer or Executive Magistrate. Signature of the DSP is not found in the seizure list. The search and seizure is found tainted. The accused persons if granted bail, bail conditions will be complied.

Ld. PP in charge strongly opposed bail prayer considering the commercial quantity of the seized contrabands. This is not a case of personal search and so, mandate U/S 50 of the Act is not required. Notice U/S 103 of the BNSS was duly served upon them. About 200 kgs of ganja was recovered and seized from the dala (compartment) of the seized Bolero pick-up van. If on bail, they will certainly abscond.

I have noted the gravity of offence, the mode and manner of carrying the ganja in the Bolero pick-up in huge quantity. This is not a case of personal search and recovery from the person of the accused persons. In view of the seized commercial quantity of the contrabands ganja and the consequent restriction under Section 37 of the NDPS Act the bail prayers of the accused persons stand **rejected**.

Fix **20.05.2026** for production and IO report.

Typed at my dictation

Sd/-
Judge, Special Court
(NDPS), Siliguri

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