

CIS REGN. NO. NDPS/44/2021  
IN THE COURT OF THE JUDGE, SPECIAL COURT (UNDER NDPS ACT) AT SILIGURI.  
C.R.(NDPS) CASE NO. 44 OF 2021.  
STATE OF WEST BENGAL  
VERSUS  
Idris Ali @ Manik & Samina Begum.....ACCUSED PERSONS

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Order No. 30, dated 21.09.2021 :

Today is fixed for Production, and I.O.'s report.

The accused persons namely Idris Ali @ Manik & Samina Begum are not produced before the courtroom to avoid overcrowding.

I have heard both sides for and against the prayer for bail.

The accused duo are in custody since 18.05.2021. According to the prosecution, 24 kgs. of Ganja in two different packets, were seized from the possession of the accused.

Going by the written complaint, the seizures were made at By Pass More (junction) on basis of source information.

It is already noted that two separate packets were seized. It is stated that each of the packets contained 12 kgs. of Ganja. There is nothing on record to show that the two accused were acting together or that one was conscious of the possession of the other. This is not a case of seizure in a house or from the confines of a vehicle. Seizures made in the open from different persons, without anything more, may not always support the theory of joint possession.

That apart, the defence arguments that Md. Khaililur Rahaman is one of the stock witnesses for the prosecution cannot be brushed aside in view of the numerous information slips filed today. The presence of the same person as witness in numerous NDPS cases does raise an element of suspicion.

Considering all of the above, I am of the view that bail may be granted in this case.

Accused Idris Ali @ Manik & Samina Begum may find bail of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of Rs. 10,000/- (Rupees Ten Thousand) each, one local, to the satisfaction of the Ld. ACJM, Siliguri.

If on bail to 29.11.2021 for appearance/I.O.'s report.

Dict. & corrected by me:

Sd/-  
Judge, Special Court  
NDPS Act, Siliguri

Sd/-  
Judge, Special Court  
NDPS Act, Siliguri  
WB00811

