

C.R.(NDPS) CASE NO. 60 OF 2019.

Order No. 18 dated 07.03.2020 :

Today is fixed for consideration of charge. Md. Nizam, Md. Basir, Md. Mehrub and Khuswar Kamti are produced from J.C.

The charge sheet has been filed without FSL report. As such, charge could not be framed.

Bail petition is filed on behalf all the four accused persons and it is submitted that there is no previous rejection of bail by the superior Court and no bail application is pending before the Hon'ble Court. The Ld. Advocate for the accused persons moves the prayer for bail and submits that the IO had, in his previous report, stated that the FSL report would be available by February, 2020 but till this date no FSL report has been received.

Ld. P.P. raises objection and submits that the IO over phone has intimated the Ld. P.P. that the FSL report is about to be filed. The Ld. P.P. prays for 10 days more time.

I have carefully considered the above submissions. It is true that there is often delay in sending report by the laboratory but the right of the accused persons for speedy trial cannot be denied. Considering all matters, I am inclined to await for the report and grant 10 days time. Accordingly the prayer for bail is rejected.

To 17.3.2020 for FSL report, if any, and production.

Let a copy of this order be sent to the IO of Bagdogra PS Case No. 225/19 dated 6.8.2019.

Dict. & corrected by me:

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

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Judge, Special Court
(NDPS Act), Siliguri .