

JOCODE WB00683
C.R.(NDPS) 76 of 2020(CIS NO. 76 OF 2020)

Order No. 44, dated 20-05-2024

Out of two accused persons, accused **Habu Ghosh** is produced from J.C. Another accused namely **Jhantu Sarkar** on bail is present on call and also files hazira.

Ld. Lawyer for the accused persons as well as Ld. P.P. in charge are present on call.

One bail petition is filed by the Ld. Advocate on behalf of the accused **Habu Ghosh**. Copy is served.

This bail petition is taken up for hearing.

Ld. Advocate submits that this accused person is innocent and has not committed any offence in this case. Hence, he prays for bail.

Ld. Spl. P.P. -in-charge raises strong objection.

Heard both sides.

Perused the bail petition and the case record.

Prima facie, as per materials on record commercial quantity of contraband, prohibited under NDPS Act, or in contravention of NDPS Act, has been seized from the possession of accused person. Granting of bail with regard to commercial quantity is barred under section 37 of the NDPS Act. Considering this, gravity of the offence alleged, entire facts and circumstances of this case and nature and quantity of contraband seized, the bail petition stands **rejected**.

Today is fixed for evidence.

No witness is present. One report is received from O.C. NBMC O.P. under Matigara P.S. praying for time on the ground stated therein. Prayer is considered and allowed.

Fix **29.06.2024** for production, appearance and evidence of PW-1.

Issue summons accordingly.

D/C by me.

Sd/-
Judge, Special Court
NDPS Act, Siliguri

Sd/-
Judge, Special Court
NDPS Act, Siliguri