

CIS REGN. NO. NDPS/76/2020.
IN THE COURT OF THE JUDGE, SPECIAL COURT (UNDER NDPS ACT) AT
SILIGURI.
C.R.(NDPS) CASE NO.76 OF 2020
STATE OF WEST BENGAL
VERSUS
JHANTU SARKAR & OTHERS.....ACCUSED PERSONS

Order No. 9 dated 19.2.2021 :

The accused persons namely Jhantu Sarkar and Habu Ghosh are produced from JC but not produced in the Court room due to the present pandemic situation. Bail petition is filed on behalf of the accused Jhantu Sarkar. No bail petition is filed on behalf of accused Habu Ghosh. It is submitted by the Ld. Advocate for the accused Jhantu Sarkar that considering the period of detention and false implication the accused may be granted bail. It is further submitted by the Ld. Advocate for the accused Jhantu Sarkar submitted that at the time of arresting the accused person the IO of this case seized one mobile phone, three ring(silver), one chain (silver) and one bracelet from the accused and the said articles are lying with the PS. Ld. Advocate submitted before the Court that the father of the accused person viz. Gouranga Sarkar may be allowed to receive the same from the IO. He further submitted that to that effect he had filed an application on 5.2.2021 but no order to that effect was passed.

Ld. P.P. raises strong objection against the bail prayer and submits that a report may be called for from the IO concerned regarding the aforesaid seized articles.

Considering the contraband seized which is of commercial quantity. Accordingly in view of the bar under section 37(1)(b)(ii) of the NDPS Act, the prayer for bail of accused Jhantu Sarkar is rejected.

Call for a report from the IO regarding the articles seized from the accused Jhantu Sarkar, as mentioned above. The IO is hereby specifically directed to submit the report positively by the next date fixed.

To 05.3.2021 for production and IO's report.

Dict. & corrected by me:

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

Sd/-
Judge, Special Court
(NDPS Act) I/c at Siliguri.
WB00589.