

JOCODE WB00683
CR NDPS CASE No. 53/2018(CIS 75/2018)

Order No. 31, dated 16.11.2023

Both the accused persons namely **Sahin Molla** and **Minarul Molla** are brought under arrest. They are taken into custody and remanded to J.C.

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

One bail petition is filed on behalf of these accused persons.

This bail petition is taken up for hearing.

Ld. Advocate submits that these accused persons are innocent and have not committed any offence in this case and nothing was recovered from them. 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 persons. 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**.

Copies are ready and supplied to the accused persons u/S. 207 of the Cr.P.C.

The record is taken up for consideration of charge.

Heard Ld. PP in charge and Ld. Lawyers for the accused persons.

Perused the record and the case diary.

After considering the materials on record and C.D., a charge for the offence punishable **u/Ss. 20(b)(ii)(C)/29 of the NDPS Act** is framed against accused persons namely, **Sahin Molla** and **Minarul Molla**.

The contents of the charge framed are read over and explained to the accused persons in *Bengali* to which they plead not guilty and claim to be tried.

To date (22.11.2023) **for production and evidence of CSW-1.**

Issue summons accordingly.

D/C by me.

Sd/-
Judge, Special Court
NDPS Act, Siliguri

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Judge, Special Court
NDPS Act, Siliguri