

JOCODE WB00683
C.R.(NDPS) Case No. 96 of 2023(CIS NO. 96 OF 2023)

Order No. 02, dated 24-11-2023

All the accused persons namely, **Hari Prasad Nirula, Riya Limbu** and **Kalpana Limbu** are produced from the correctional home and placed on dock.

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

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

This bail petition is taken up for hearing.

The Ld. Advocate submits that intermediary quantity of contraband has been seized from the accused persons. He further submits that the accused persons have been falsely implicated in this case and prays for bail.

As per submission of Ld. Lawyer for the accused no bail petition is either pending or rejected before the Hon'ble High Court or any superior Court with regard to this accused person in this case. Ld. Special PP-in-charge does not claim any pendency or rejection of any bail petition by Upper Forum.

Ld. Special PP-in-charge raises objection.

Heard both sides.

Perused the bail petition and the case record.

It appears that prima facie non-commercial of contraband has been seized from the accused persons. Further the accused is in J.C. for more than 35 days and investigation in this case seems to have been sufficiently proceeded. Therefore, I find no reason for further detention of the accused for the sake of investigation.

Considering the afore, and entire facts and circumstances of this case, gravity of offence alleged of this case, bail prayer is allowed, but subject to conditions.

Accordingly, accused persons namely **Hari Prasad Nirula, Riya Limbu** and **Kalpana Limbu** be released on furnishing cash security of **Rs. 5,000/- (Rupees Five Thousand) each** with a condition to appear before the I.O. on every Monday and Thursday between dawn to dusk and further they will not leave the jurisdiction of Siliguri Sub-Division till the completion of investigation, and that the accused have liberty to leave the jurisdiction of Siliguri Sub-Division after seeking permission from this Court i.d. to remain in J.C.

Send a copy of this order to the Ld. ACJM, Siliguri for information.

The case is adjourned.

Fix **05.02.2024** for appearance, if on bail, and I.O.'s report.

D/c by me

Sd/-

Judge, Special Court
NDPS Act, Siliguri

Sd/-

Judge, Special Court
NDPS Act, Siliguri