

JOCODE WB00683
CIS NO. 106 OF 2022
C.R.(NDPS) 106 of 2022

Order No.06 Dated 02-01-2023

Today is fixed for production of the accused person and I.O's report.

The accused persons namely 1) Sudipta Halder, 2) Sumit Das and 3) Gourav Poddar are produced from the Correctional Home and placed on dock.

Ld. Advocate for the accused persons as well as Ld. Special P.P. in charge are present.

One bail petition is filed on behalf of the accused person namely 1) Sudipta Halder, 2) Sumit Das and 3) Gourav Poddar.

Bail petition is taken up for hearing.

Copy served.

The Ld. Advocate for the accused person submits that the present accused persons are languishing judicial custody since 30-10-2022. He further submits that the accused persons have been falsely implicated in this case and sufficient investigation has been done. He prays for bail of this accused persons on any stringent condition.

Ld. Spl. P.P. -in-charge prays for passing necessary order as this court may deem fit and proper.

Heard both sides.

Perused the bail petition, case record and other materials on record.

No bail petition is filed, pending or rejected before any higher forum in this case as per submission of both sides.

It prima facie appears from the case record that 3 pouches allegedly containing brown sugar weighing 250 grams, including the packing materials have been allegedly seized from joint possession of the accused persons. Apparently it appears from the seizure list that alleged actual contraband/brown sugar is less than 250 grams, meaning it comes under the category of intermediate quantity and the accused persons are in custody since last 65 days.

Considering the alleged contraband is non commercial, period of detention suffered by the accused persons and also considering the sufficient investigation, I think that the accused persons should be enlarged on bail.

Accordingly, the accused persons namely 1) Sudipta Halder, 2) Sumit Das and 3) Gourav Poddar be released on furnishing cash security of **Rs.10,000/-** each to the satisfaction of Ld. ACJM, Siliguri.

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

To **24-03-2023** for appearance if on bail and I.O.'s report.

Dictated & corrected by me,

Judge, Spl. Court, Under NDPS Act, Slg.

Judge, Special Court,
Under NDPS Act, Siliguri.

