

JOCODE WB01486
C.R.(NDPS) 97 of 2023 (CIS NO. 97 OF 2023)

Order No. 02, dated 30-11-2023

Today is fixed for production and I.O.'s report.

Accused person namely, **Shambhu Bhandari** is produced before this Court and placed on dock.

One bail petition has been filed on behalf of this accused person.

Ld. Advocate on behalf of the accused person as well as Ld. P.P. in charge are present.

Copy is served.

Regular P.O. is on duty leave.

Ld. Advocate for the accused submit that the accused person is behind the bar since 20.10.2023 and he is innocent and falsely implicated in this case. Ld. Advocate further submits that if the accused person be released on bail he will not flee away and will face the trial.

Ld. P.P. in charge raises strong objection. Ld. P.P. in charge submits that commercial quantity of contraband is involved in this case and there is a bar of granting bail under Section 37 of the NDPS Act.

Perused the bail petition and the case record.

It appears that commercial quantity of contraband, prohibited under NDPS Act, or in contravention of NDPS Act, has been recovered and 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 the gravity of the offence alleged, entire facts and circumstances of this case and nature and quantity of contraband seized, the bail petition is considered and stands rejected.

Accused person be remanded to J.C. till date.

Fix 13.12.2023 for production and I.O.'s report.

D/C by me.

Sd/-
Judge, Special Court-in-charge
NDPS Act, Siliguri

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