

C.R.(NDPS) 130/25 (CIS Reg. No.130/25)

CNR- WBDJ12-000131-2025

Order No.03

Dated- 18.11.2025

(2) accused persons, viz. **Md. Ashique @ Pappu** and **Md. Atirul @ Rahul** are virtually produced from the Correctional home and custody warrants sent to this Court.

Lawyer's hazira is filed for both the accused persons.

One bail petition is filed for the (2) accused persons and moved.

Ld. Defence lawyer appearing for the accused persons and submits that accused persons are falsely implicated in this case and that the accused persons are local residents and there is no chance of absconding. It is further submitted that during search and seizure were done as per the instruction of the I/C, Siliguri PS who acted as Gazetted Officer and as such there are high chances of the accused persons being falsely implicated. It is also submitted that the provision of section 50 of NDPS Act was not complied. Hence Ld. Defence Counsel prays for bail on any condition.

Ld. PP in charge opposes the bail petition and submitted that it is a matter of trial and at this stage the submission as made by the defence counsel cannot be entertained and prays for rejecting the bail.

Perused the materials and case record. The points as agitated by the Ld. Defence counsel cannot be considered at this stage. However considering the initial stage of investigation and in view of the seized contraband of suspected brown sugar being of commercial quantity, granting bail is barred u/s. 37, NDPS Act and hence bail prayer is rejected.

The accused persons are remanded to J/C till date.

Fix **02.12.2025** for production and I/O's report.

D/c by me

Sd/-

Judge, Special Court
NDPS Act, I/c. Siliguri

Sd/-

Judge, Special Court
NDPS Act, 2nd Court, I/c. Siliguri