

**JO CODE WB00753**  
**C.R.(NDPS) 130/25 (CIS Reg. No.130/25)**  
CNR- WBDJ12-000131-2025

Order No.05

Dated- 16.12.2025

(2) accused persons are virtually produced from the Correctional Home and custody warrants sent to this Court.

Bail petition is filed for the accused persons Md. Ashique @ Pappu and Md. Atirul @ Rahul and moved.

Heard both sides present. Considered.

Ld. Advocate for the accused persons praying for bail submits that in the given case there is sheer non compliance of Sec.50 of the NDPS Act and in such view of the position, the accused persons are entitled to be released on bail. If on bail they will comply all the bail conditions.

The Ld. PP in charge opposing the bail prayer submits that the Ld. Court may consider the seized commercial quantity contrabands and the direct involvement of the accused petitioners. This is not a stage to consider whether there has been any violation of the provision U/S.50 of the Act. At best, it shall be considered during trial stage. He prayed for straight rejection of their bail prayer.

Very recently vide order no. 3 dtd. 18.11.2025, this Ld. Court was pleased to turn down the bail prayer of both the accused petitioners and then also the provision U/S.50 of the Act was agitated.

I have perused and considered the materials lying in the CD and on the case record. In view of the seized commercial quantity of the contrabands and the pursuant rigor U/s.37 of NDPS Act the bail prayer of the accused persons is **rejected**.

Fix **30.12.2025/05.01.2026** for production and I/O's report due to ensuing Christmas vacation.

D/c by me

Sd/-

Judge, Special Court  
NDPS Act, Siliguri

Sd/-

Judge, Special Court  
NDPS Act, 2<sup>nd</sup> Court, Siliguri