

CIS No. NDPS 161/2021

In the Court of the Judge (Special Court) under NDPS Act, Siliguri

CR (NDPS) Case No. 161 of 2021

Order no. 11, Dated 17/03/2022

Accused Sanil Gowala and Jimi Gowala are produced from the J.C. Two separate bail petitions are filed by the Ld. Defence Counsels on their behalf.

Both bail petitions are taken up for hearing.

Heard both sides.

Ld. Defence Counsels pray for bail of these accused persons by submitting that the accused persons are fully innocent and they have falsely been implicated in this case. They also submit that the accused persons had been to the Siliguri Police Station to surrender themselves in connection with an another case u/S. 392 of the I.P.C., but the police personnel falsely tagged them with this case. They also submit that there is no cough syrup named as OWNRX.

Ld. PP-in-charge raises strong objection by submitting that the huge quantity of contraband materials which is more than the commercial quantity as per NDPS Act has been recovered from the possession of the accused persons and granting of bail with regard to commercial quantity is barred u/S. 37 of the NDPS Act.

Perused the materials available to me.

Considered.

Prima facie it appears that the commercial quantity of contraband materials as per NDPS Act has been recovered from the possession of the accused persons.

Considering the facts, circumstances, materials and nature of offence prayers for bail are rejected at this stage.

Accused persons be remanded to J.C. till 31.03.2022.

To 31.03.2022 for production and I.O.'s report.

D/c by me

Sd/-

Judge, Special Court-in-Charge
NDPS Act, Siliguri

Sd/-

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NDPS Act, Siliguri