

JOCODE WB00683
CIS NO. 170 OF 2021
C.R.(NDPS) 170 of 2021

Order No.25 dated 08-02-2023

Out of 2 accused persons accused Arjun Prasad is present on call along with Ld. Advocate and also file hazira.

The 2nd accused person is produced from J/C.

Today is fixed for evidence.

One CSW SI Tarun Kanti Ghosh is produced by the prosecution, examined in chief as PW-1 in part.

Seizure list, signatures of both the accused persons, two memos of arrest, signature of the accused persons on the two memos of arrest, complaint, signature of complainant on the complaint, endorsement and signature of SI Subal Chandra Ghosh are marked as Exhibit-P-1, P-1/1, P-1/2, P-2, P-3, P2/1, P-3/1, P-4, P-4/1, P-4/2 respectively. Further examination-in-chief is deferred due to want of alamats, on the payer of the prosecution.

An adjournment petition is filed on behalf of the prosecution.

The same is considered and allowed after hearing both sides.

The case is hereby adjourned.

Two bail petitions are filed on behalf of the accused persons namely Arjun Prasad and Nabin Roy.

Copy served.

The bail petitions of accused persons namely S Arjun Prasad and Nabin Roy are taken up for hearing.

Ld. Lawyer for the accused persons submit that They are in custody since long and have been falsely implicated in this case. They prays for bail of the accused persons in any condition.

Ld.Spl.P.P.-in-charge raises strong objection.

Heard both sides.

Perused C/D, the bail petition and the case record.

Prima facie, as per materials on record commercial quantity of contraband, prohibited under NDPS Act, or in contravention of NDPS Act, has been 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 this, gravity of the offence alleged, entire facts and circumstances of this case and nature and quantity of contraband seized, the bail petition stands **rejected**.

Fix **06-05-2023** for production of accused persons and evidence.

Accused persons are remanded to J/C till date.

Dictated & corrected by me,

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

Judge,Special Court,
Under NDPS Act, Siliguri.

