

CIS No. NDPS 183/2021

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

CR (NDPS) Case No. 183 of 2021

Order no. 03, Dated 10/01/2022

Accused Gita Giri and Nayan Ghosh are not produced before this Court as per the order No. 01/E dt. 03.01.2022 passed on behalf of the Ld. District Judge, Darjeeling, by the Vacation Judge, Darjeeling.

One bail petition is filed and moved on behalf of the accused persons namely Gita Giri and Nayan Ghosh.

It is submitted that the infant baby of the accused Gita Giri is lying ill and hence, prays for bail of accused Gita Giri.

On perusal of seizure list it appears that the item no. 1 i.e. Lupigesic injection 2 ml. total 110 numbers falls within the ambit of commercial quantity and hence, the bail petition of accused Gita Giri stands rejected.

However, the Superintendent of Siliguri Special Correctional Home, is directed to make arrangement for the treatment of the infant baby of the said accused Gita Giri, if so required.

The Ld. Advocate for the accused Nayan Ghosh also prays for bail submitting that he is also lying ill, but specifically failed to say about his illness and the seized articles falls within the ambit of commercial category and bars u/S. 37 of the NDPS Act to grant bail. Hence, prayer for bail against accused Nayan Ghosh is rejected.

To 24.01.2022 for production & 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