

JO Code No. WB00885

T. R Case No. 16 of 2022

Order No. 21 dated : 13-02-2024

Today is fixed for production of the three accused persons, namely Tapas Malo, Sumit Kumar Thakur and Zafar Khan and E/R of W/A Dipak Bahadur.

Three accused persons, namely Tapas Malo, Sumit Kumar Thakur and Zafar Khan are produced from Howrah District Correctional Home.

No E/R of W/A is received against the accused Dipak Bahadur.

A bail petition is filed on behalf of the accused person, namely Zafar Khan, on the ground stated therein.

Copy of bail application is served upon the Ld. Counsel for the Prosecution.

Perused the bail prayer as well as other materials on record.

Heard the Ld. Counsel for the accused person as well as Ld. Counsel for the prosecution.

The Ld. Defence Counsel submits before the court that the accused person is in custody since 04-04-2022. It is also said that the accused person is innocent and has been falsely implicated.

The Ld. Counsel for the prosecution has opposed the prayer for bail contending inter alia that huge quantity of contraband was recovered from the possession of the said accused person.

Contraband of commercial quantity (107.460 kgs ganja) was purportedly recovered from the possession of the accused person. Accordingly, this case comes within the ambit of section 37 of the NDPS Act, which casts an embargo upon the court to grant bail. Therefore, considering the incriminating materials in the CD, coupled with the implication of section 37 of the NDPS Act, the prayer for bail of accused person, namely Zafar Khan, is considered and rejected.

To 29-04-2024 for production of the accused persons, Tapas Malo, Sumit Kumar Thakur and Zafar Khan.

To date for E/R of W/A of accused Dipak Bahadur.

Dictated & Corrected by me
Special Judge,

Judge, Special Court under
N.D.P.S Act, Howrah.