

TR 02 of 2025
CNR No. WBHW-01-001930-2025
J.O. Code WB00910

Order No. 04 dated : 21-05-2025

Today is fixed for hearing of the bail petition, production of the accused persons and IO's report.

All the four accused persons namely Babla Gouri, Biswajit Das, Anup Ghosh and Trinath Bar are produced from J/C.

Now the bail petitions are taken up for hearing.

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

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

The Ld. Defence Counsel submits before the court that the accused persons namely Trinath Bar was arrested by the investigating authority and no contraband article was seized from his custody and he was arrested on the basis of statement of other three accused persons and prays for bail.

The Ld. Advocate of the other three accused persons submitted that the accused persons have been arrested by the investigating authority with possession of contraband of 82.2 kgs of ganja and they are languishing in the custody and prays for bail.

Ld. Counsel for the prosecution has opposed the prayer for bail by contending that the accused Trinath Bar is the master mind and kin pin of the racket and the possession is conscious possession of the accused and the investigation is going on against the accused in respect of his direct involvement and huge quantity of contraband ganja was recovered from the possession of other three accused persons.

Contraband of commercial quantity of 82.2 kgs ganja was purportedly recovered from the possession of the accused persons. Accordingly, this case comes within the ambit of section 37 of the NDPS Act, which casts an embargo upon the court. Having considered facts and circumstances, other materials on record and nascent stage of investigation and recovery of commercial quantity of contraband ganja from the possession of the accused persons and rigours of law as envisaged in Section 37 of the NDPS Act, the prayer for bail applications of all four accused persons is considered and rejected.

Fix 10-06-2025 (the date is extended due to Summer Vacation) for production and IO's report.

Accused persons are remanded to JC till next date.

Dictated & Corrected by me

Special Judge,

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