

JO Code No. WB00885
T. R Case No. 09 of 2023

Order No.08 Dated: 16-08-2023

Today is fixed for I/O report and production of the accused persons.

All four accused persons, namely Sagar Singh @ Sk. Sahajada, Md. Nasim, Michi Dalai and Puwala Janaki are produced from custody.

Accused Sagar Singh, Michi Dalai and Puwala Janaki and Md. Nasim appear by fresh vokatnama.

It transpires from the record that charge sheet has already been submitted in this case on 07-08-2023. Accordingly, copies of police report and other allied documents are to be served upon the accused persons u/s 207 of the Cr.P.C.

Copy u/s 207 Cr.P.C is then served upon the accused persons and the same is acknowledged by them in the margin of the order sheet.

Subsequently, a bail is filed on behalf of the all the four accused persons.

Copy served and objected to.

Perused the impugned application for bail, as well as other materials on record.

Heard the Ld. Counsel for the prosecution as well as the Ld. Counsel for the defence.

The Ld. Defence Counsel submits before the court that the accused persons are in custody since 17-04-2023. It is also said that two of the the accused persons are female. Last but not least, it is agitated on behalf of the defence that all the accused persons 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 of 54.9 kgs ganja and 62 grams of charas was recovered from the possession of the said accused persons.

This is a case U/s 20(b)(ii)(C) of the the N.D.P.S Act. Contraband of Commercial quantity was purportedly recovered from the possession of the accused persons. Investigation has culminated in the submission of charge sheet against the accused persons. The said charge sheet is supported by a positive report of the F.S.L. Thus, regardless of the fact that two of the accused persons are female and it is the contention of the defence that they are innocent, I find no reason to come to the finding that the accused persons are innocent. Thus, considering the incriminating materials in the CD, coupled with the implication of section 37 of the NDPS Act, the prayer for bail of four accused persons, namely Sagar Singh, Michi Dalai and Puwala Janaki and Md. Nasim is considered and rejected.

Fix 13-09-2023 for production of the accused persons.

To date for consideration of charge against the accused persons.

Dictated & Corrected by me

Special Judge

Judge, under N.D.P.S Act-cum-
Additional Sessions Judge,
3rd Court, Howrah.