

JO Code No. WB00885
T. R Case No. 13 of 2023

Order No. 05 dated: 03.07.2023

The record is put up by petition filed on behalf of the accused person Mosaraf Hossain, who also files a bail petition, on the grounds stated therein.

Copy served and objected to.

The record is taken up for bail hearing.

The Ld. Counsel for the defence submits before the court that the accused person has been falsely implicated and he is in custody since 01.05.2023 and that he will not abscond from the process of the court, if granted bail.

The Ld. P.P Incharge raised strong objection.

This is a case u/s.20(b)(ii)(B)/29 of NDPS Act. Admittedly, the rigors of section 37 of the NDPS Act would not be attracted in the present case, but the case was initiated about two months ago and the charge sheet reveals that the accused persons were apprehended with ganja in their possession. The report of chemical examination established that the purported samples of contraband drawn from the mother alamat was in fact ganja. Considering the incriminating materials on the case docket and the period of detention this court finds no reason to believe that the accused person should be granted bail at this stage. Accordingly, prayer for bail of accused Mosaraf Hossain is considered and rejected.

To date.

Dictated & Corrected by me,

Special Judge,

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