

JO Code No. WB00885
T. R Case No. 64 of 2021

Order No.17 dated: 18-01-2024.

The record is put up by petition filed on behalf of the accused person, namely Aloka Bihari Shaw, who also files a bail application, along with a fresh vokalatnama.

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 03-12-2021. 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 (31 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. Evidence of P.W-4 has already been concluded. 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 Aloka Bihari Shaw, is considered and rejected.

To date.

Dictated & Corrected by me

Special Judge,

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