

T. R Case No. 26 of 2024
CNR No. WBHW-00-005710-2024
J.O. Code WB00910

Order No. 16 dated: 11-06-2025

Today is fixed for hearing of the bail application filed on behalf of the accused Sailendra Kumar Shah.

Both the accused persons namely Vinod Kumar Chauhan and Shailendra Kumar Shah are produced from correctional home.

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 persons as well as Ld. Counsel for the prosecution.

The Ld. Defence Counsel submits before the court that the accused person namely Sailendra Kumar Shah is in custody since 20-12-2024. It is also said that the accused person is innocent and has been falsely implicated. It is further stated that the accused person did not move any bail petition or pending or rejected before any higher forum U/s 482 of B.N.S.S and U/s 483 of B.N.S.S.

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.

The accused person has been implicated for commission of Offence punishable U/s 20(b)(ii)(C)/25/29 of the N.D.P.S Act. Contraband of commercial quantity was involved in this case. Accordingly, this case comes within the ambit of section 37 of the NDPS Act, which casts an embargo upon the court. 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 Sailendra Kumar Shah is considered and rejected.

Charge sheet has already been submitted.

Copies be supplied at once to the accused persons.

To 04-07-2025 for production and consideration of charge.

Dictated & Corrected by me

Special Judge,

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