

**JO Code No.WB00885**

**TR Case No. 43/2023**

**Order No. 02 Dated: 15-12-2023**

Today is fixed for production of the accused persons.

Four accused persons, namely Sunder Deep, Rakesh Sarkar, Asha Malakar and Prabha Mandal are produced before the court.

The I/O is present along with the C.D.

The I/O files a prayer for remanding the accused persons for judicial custody.

A bail petition has been filed on behalf of the accused Rakesh Sarkar, along with a fresh vokatnama.

Copy not served.

Let it be kept with the record.

Another bail petition has been filed on behalf of the accused persons, namely Sunder Deep, Asha Malakar and Prabha Mandal, along with a fresh vokatnama.

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 persons are innocent and have 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.

The investigation is at nascent stage. The accused person has been implicated for commission an offence punishable u/s. 20(b)(ii)(C)/29 of the NDPS Act. Considering the fact that contraband of 31.880 kgs ganja has been recovered from the possession of the accused persons, coupled with the embargo upon the court in granting bail u/s. 37 of the NDPS Act, together with other incriminating materials against the accused persons, the prayer for bail of accused Sunder Deep, Asha Malakar and Prabha Mandal, is considered and rejected.

The four accused persons, namely Sunder Deep, Rakesh Sarkar, Asha Malakar and Prabha Mandal are remanded to J.C till 22-12-2023.

To date for production and call for C.D.

To date hearing of the bail petition of accused Rakesh Sarkar.

A petition filed on behalf of the NCB, who forwards an application filed by the I/O Sanjit Kumar for passing order for deposit of currency notes, said to have been seized in connection with this case in any nationalized bank.

Perused the same as well as other materials on record.

Heard the Ld. Counsel for the NCB.

It appears from the concerned application that Rs.31,400/- was seized from the accused persons, vide seizure list dated 12-12-2023.

The NCB, KZU is at liberty to deposit the seized currency in any nationalized bank.

Let a copy of this order be sent to the IO for information and necessary action.

To 22-12-2023 for I/O report.

**D/C by me**

**Special Judge**

**Judge, under N.D.P.S Act-cum-**

**Additional Sessions Judge,**

**3<sup>rd</sup> Court, Howrah.**