

N.D.P.S. Case No. 33 of 2024

Present : Shri Bibhuti Khesong (J.O.No.WB00693)
Sessions Judge, Alipurduar.

Order no.20,
Dt. 10.03.2025,

The record is taken up for hearing of the bail application on behalf of accused Phurba Lama.

Mr. Samir Paul, Learned Counsel appearing for the accused Phurba Lama moves the bail petition submitting *inter-alia* that there is no recovery from the possession of accused Phurba Lama and he is in judicial custody on and from 02.06.2024. Learned Counsel prays for bail on any condition.

Mr. Samir Kumar Dutta, Learned Special Public Prosecutor raises no objection against the bail prayer submitting *inter-alia* that there is no direct materials against accused Phurba Lama and he has been arrested on the ground of complicity as reflected in the forwarding report.

Heard.

Perused the case record and the case diary.

Considered.

It also appears that *prima facie* the contraband articles were recovered from the possession of accused persons, namely, Bikash Das and Ranjana Das. There is no allegation of recovery of contraband articles from accused Phurba Lama. *Prima facie* he has been arrested on the basis of disclosure made by the principal accused persons. The accused is in judicial custody since 02.06.2024. Moreover, the investigation is already completed and the charge sheet has been submitted.

Thus, considering the facts and circumstances of the case and the materials available on record, and keeping in consideration, the period of incarceration as well as the completion of the investigation, I am of the considered opinion that further detention of the accused is not required for the purpose of investigation of the case. Accordingly, I find that the case is fit for bail at this stage.

In view of the above, the petition for bail is **allowed**.

Accused **Phurba Lama** may find **interim bail** of **Rs. 5,000/-** with two sureties of **Rs. 2,500/- each**, subject to satisfaction of Learned C.J.M., Alipurduar, on condition to appear before the Court on each and every date.

The application for bail is, thus, disposed of.

Return CD.

Fix 23.04.2025 for production, appearance and ER of WA.

Let a copy of this order be sent to Ld. C.J.M Alipurduar for information and necessary action.

Dictated& corrected by me:

Judge, Special Court (NDPS Act)
Alipurduar

Judge, Special Court (NDPS Act)
Alipurduar