

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

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

**Order no.21,**  
**dt. 27.03.2025,**

The record is put up today by petition.

An application for bail has been filed for and on behalf of the accused Bikash Das.

Mr. Khokan Dey Tahabildar, Ld. Advocate, appears for the accused Bikash Das

Mr. Samir Kumar Dutta, Ld. Special Public Prosecutor, appears for the State of West Bengal.

The record is taken up for hearing of the bail application.

Mr. Khokan Dey Tahabildar, Ld. Advocate appearing for the accused moves the bail application submitting, *inter alia*, that the accused is in custody since 03/06/2024 and as there is no scope of trial, the constitutional liberty under Article 21 is prevailed over Sec. 37 of NDPS Act. Mr. Tahabildar, Ld. Advocate prays for bail on any stringent condition.

Mr. Samir Kumar Dutta, Ld. Special Public Prosecutor, raises objection against the bail prayer submitting *inter alia* that huge quantity of narcotic substances were recovered and seized from the possession of this accused and the charge sheet has been submitted against him.

Heard both sides.

Perused the petition and the case record as well as the case diary.

Considered.

The narcotic substances was recovered from the possession of the accused Bikash Das. The charge sheet has already been submitted under Sec. 21(c)/29 of the NDPS Act against this accused. Thus, I am of the considered opinion that the prosecution has made out *prima facie* case against the accused person.

In view of the materials available on record, the prayer for bail is **rejected**.

Return CD.

To date (23/04/2025) for production.

Dictated& corrected by me:

Judge, Special Court (NDPS Act)  
Alipurduar

Judge, Special Court (NDPS Act)  
Alipurduar