

N.D.P.S. Case No. 41/2022

Order No. 48, dated 02.04.2024.

The record is put up today by a put up petition filed on behalf of accused Asraf Ali @ Firoj.

Fresh vokatnama is filed. Let it be kept with the record.

Bail petition filed on behalf of above named accused person is moved.

Ld. Special P.P. in-charge and Ld. Defence Counsel, both are present.

Ld. Defence Counsel prays for bail of accused Asraf Ali @ Firoj. Ld. Defence Counsel, by filing an affidavit, also submits that prayer for bail of this accused person had earlier been rejected by the Hon'ble High Court, Calcutta, in CRM (NDPS) No. 1751/2023.

Ld. Special P.P. submits that huge quantity of contraband, i.e. 1 Kg. 700 grams of Heroin and 2 Kg. Alprazolam, were recovered from the possession of accused person. He also submits that there are criminal antecedents against accused Asraf Ali @ Firoj being Murshidabad PS Case No. 309/18 dated 31.05.18 u/S. 21(c) of the NDPS Act and Lalgola PS Case No. 514/17 dated 28.10.2017 u/S. 21(c)/29 of the NDPS Act. He further submits that prayer for bail of the accused person had earlier been rejected by the Hon'ble Court. Thus, he prays for rejection of the bail prayer in respect of the present accused person.

Perused the materials on record.

Heard both sides.

Considered.

In this case huge quantity of Heroin and Alprazolam were recovered from the possession of accused person. Three witnesses have already been examined. The next dates of this case have been fixed on and from 22.04.24 to 24.04.24 for production, appearance and further evidence.

Considering the prima facie materials against the present accused person, nature and gravity of the offence, and keeping in mind the statutory bar u/S. 37 of the N.D.P.S. Act and also considering the fact that prayer for bail of this accused had earlier been rejected by the Hon'ble Court, I am not inclined to allow the prayer for bail of the present accused person. Thus, the bail prayer stands rejected.

To dates (i.e. 22.04.24, 23.04.24 and 24.04.24) for production, appearance and evidence.

Dictated & corrected by me,

Judge.  
(J.O. Code WB 00687)

Addl. Dist. & Sess. Judge, 2<sup>nd</sup> Court,  
Cum  
Judge, Special Court, Under N.D.P.S. Act,  
Berhampore, Murshidabad.  
(J.O. Code WB 00687)