

CNR No. WBHW-01-004834-2024

NDPS Case No. 21 of 2024

Order No. 06 dated 25-11-2024.

The accused person, namely Saurav Aown produced from P.C.

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

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

One bail application has been filed on behalf of the accused Saurav Aowan.

Copy of the 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/petitioner as well as Ld. Counsel for the prosecution.

The Ld. Counsel on behalf of the accused/petitioner submits before this court that the accused/petitioner is in custody from 16-11-2024. It is also stated that the accused/petitioner is innocent and has been falsely implicated. It is also prayed that accused has permanent resident and there is no bail application pending before the Hon'ble Court.

The Ld. Counsel for the prosecution has opposed the prayer for bail contending inter alia that accused is F.I.R named and he involved the racket of contraband.

It is a case under Section 21(C)/29 of NDPS Act. It appears from the CD that 336 litres of PHENSEGRIP containing Triprolidine Hydrochloride & Codeine Phosphate and 11,66,400 pieces SPASMOPROXYTIL PLUS and Payeevon Spas Plus capsules have been recovered and seized from the possession of other two accused persons and the name of the present accused transpires from the statement of the apprehended co-accused. The present accused is having knowledge of the same which amount to conscious possession of the contraband through other accused person. Accordingly, this case comes within the ambit of section 37 of the NDPS Act. Investigation is nascent state. 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 Saurav Aown is considered and rejected.

The accused person is remanded to J.C till 26-11-2024.

Dictated & Corrected by me,

Special Judge,
Incharge

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