

Spl Case no 29 of 2025

Present : Sri Abir Chatterjee
Judge, Special Court,
3rd Court, Malda(I/C)

Order No. 47 dated 08.05.2026

The instant record is put up on the prayer of the accused Abdur Rahaman and Md Abdul Aziz @ Abdul Aziz along with an application praying for bail enclosing a copy of order passed by the Hon'ble High Court in CRM(NDPS) 167 of 2026 dated 05.02.2026.

One fresh vokaltnama is respect of accused Abdur Rahaman is also filed.

The Ld Spl PP in charge is present.

The bail application is taken up for hearing.

Perused the bail application.

Also perused the copy of the order passed by the Hon'ble High Court in CRM(NDPS) 167 of 2026 dated 05.02.2026. It appears from the order passed by the Hon'ble High Court that the Hon'ble Court has been pleased to reject the bail application of the accused Md Abdul Aziz @ Abdul Aziz with a further direction upon the Trial Court to split up the trial of case by exhausting the process of law and take steps for progressing with the trial of the case and the process of split up be completed within a period of two months from the date of communication of this order.

Heard both sides and considered the submissions.

It appears to this Court that there is recovery of 8 kg 861 gram of brown sugar which is of commercial quantity. Charge-sheet has submitted marking end of investigation. The accused persons have not satisfied the twin conditions in order to entitled them to be released on bail. The bar provided u/s 37 of the NDPS Act is applicable in this situation. There are tangible materials to show the prima facie involvement of the accused persons in the commission of the alleged offences. There are specific allegations against them in the charge sheet submitted.

Considering all aspects, this Court is not inclined to allow the bail application filed on behalf of the accused persons namely Abdur Rahaman and Md Abdul Aziz @ Abdul Aziz.

Accordingly, the bail application on behalf of the accused Abdur Rahaman and Md Abdul Aziz @ Abdul Aziz stands rejected.

Fixing to date **30.06.2026** for production/ appearance and supply of copies.

Dictated and Corrected by me

Judge Special 3rd Court, Malda
Under N.D.P.S. Act(I/C).

Judge Special 3rd Court, Malda
Under N.D.P.S. Act(I/C).