

NDPS Cae No. 115 of 2024 (R-115/24)
Present :Sri Chinmoy Chattopadhyay
JO Code-WB 00676
WBD010065372024

Order No. 44 dated 06-04-2026

All the accused persons namely Asadul Mondal, Safikul Biswas, Masadul Halsana, Elyas Mondal, Sukumar Panja, Mir Kasem Mondal, Nowsad Ali Mondal, Sukhen Saha and Biraj Mondal are produced from correction home through VC and are represented by their respective ld.advocates.

Ld.Spl.PP is present.

Today is fixed for evidence of CSWs 04 & 05. No witness is present. There is no return of summons.

Now, at this stage, ld. Counsels appearing on behalf of accused persons namely Asadul Mondal, Masadul Halsana, Elyas Mondal, Mir Kasem Mondal, Sukhen Saha and Biraj Mondal by filing separate applications pray for bail on the ground that they are lying behind the bar for a considerable period. It is submitted that they are totally innocent so far as the allegation is concerned and nothing has been recovered from their possession as per the allegation. It is submitted that they have their permanent home and hearth within the jurisdiction of this Court and there is no chance of their abscondance or to evade trial and thus it is submitted to allow the prayer for bail of the accused persons on any ground.

Ld.Spl.PP shows his vehement objection by submitting that trial has already commenced and allegation against the accused persons, including other is severe in nature. It is submitted that seven witnesses have been examined and prosecution is ready to conduct the trial in accordance with law and thus, it is submitted to reject the prayer for bail.

Heard both the sides. Perused the evidence on record.

Having heard the submissions of both the sides and considering the fact that trial has already commenced and seven prosecution witnesses have been examined and in the present schedule the prosecution could not examine any witness as PO was on SIR duty as per the order of Hon'ble Apex Court and also considering the nature and gravity of the allegation regarding seizure of contraband material (Ganja) which is more than commercial quantity, I am not inclined to allow the prayer for bail and same is rejected.

After due consideration of submission of all the sides, the following schedule is prepared for evidence of prosecution witness.

To 01.06.2026 for evidence of CSW-1.

02.06.2026 for evidence of CSW-2 & 3.

03.06.2026 for evidence of CSW-4 & 5.

Prosecution is to take proper steps to cause service of summons upon the witnesses positively so that trial may proceed in accordance with law and as per direction of Hon'ble High Court.

Accused persons are remanded to JC till the next date with a direction of production.

Dictated & Corrected by me.

Sd/- C.Chattapadhyay.
Judge, Special Court, N.D.P.S. Act,
Nadia at Krishnagar

Sd/- C.Chattapadhyay.
Judge, Special Court, N.D.P.S. Act,
Nadia at Krishnagar