

NDPS-37/24

30.7.2025

Today is fixed for E.R of W.P.A in respect of accd Rojina Sardar.

Accd Tohid Molla and Jakir Hossain Molla are produced from J.C.

Bail moved on behalf of the custody accd .

Hd both sides. Perused.

It is submitted by ld. Defence counsel that the accd persons are in J.C for almost eight months and they have been falsely entangled in this case. It is further submitted that in this case according to prosecution the narcotic substance has been alleged to be recovered from a vehicle and the said vehicle being a private vehicle compliance U/s. 42 of NDPS Act is needed but in this case there is non compliance of Section 42 of NDPS Act and in this facts and situation he prays for bail.

Ld. P.P in charge strongly opposes the prayer for bail submitting inter-alia that in this case compliance of Section 42 of NDPS Act is not needed at all and moreso the instant case involves commercial quantity of narcotic substance.

Having considered the submission of both sides and having considered the entire materials on record, this court finds that in this case commercial quantity of narcotic substance is involved. Besides this whether compliance of Section 42 NDPS Act is needed in this particular case or not is a matter of trial and it cannot be adjudicated at this stage.

Thus in view of above specially considering the rigor as provided U/s. 37 of NDPS Act the prayer for bail is considered and rejected.

No E.R of WPA is received.

Fix 2.9.25 for E.R of WPA and production.

D/corr by me,

4th ASJ, Alipore,
(J.O.Code-WB00705).