

NDPS Case No.01 of 2022
JO CODE No.WB00766
CNR No.WBUD01-000108-2022

Order No.07

25.02.2022

Today is fixed for production and IO's report.

Accused 1. Mithun Kumar Basak, 2. Ranjit Kumar Biswas and 3. Saroj Kumar are produced from J/C physically. Sunil Kumar Basak is not produced from J/C. No report is received to that effect.

Bail petition is filed for accused persons namely, 1. Sunil Kumar Basak, 2. Mithun Kumar Basak, 3. Ranjit Kumar Basak and 4. Saroj Kumar.

Ld. Advocates for Sunil Kumar Basak and Mithun Kumar Basak files two separate Vokatnama.

Copy of bail petition is served upon Ld. PP in charge.

It is submitted by the Ld. Advocates appearing for the accused persons that no bail application is pending u/s.439 of Cr.P.C in respect of the present accused persons in any higher forum.

The Ld. Advocates for the accused persons submit that accused persons are innocent and they are in jail custody on and from 09.01.2022. They further submit that accused persons have falsely implicated in this case. The specific contention of the Ld. Advocates for the accused persons is that the alleged seizure has made as per the FIR from one of the accused persons and as such the other accused persons are in no way liable for commission of the offence. They further contended that accused persons are in no way connected in commission of the alleged offence. They further submit that accused persons will not misuse the liberty and will face the trial, if they are released on bail. Accordingly, they pray for releasing the accused persons on bail on any condition or conditions.

On the other hand, Ld. PP in charge raises objection regarding the release of the accused persons on bail and files objection u/s.37 of the NDPS Act.

CD is produced.

I have perused the CD and other materials on record.

On perusal of the materials, it is evident that seizure of commercial quantity of narcotic substance was made from the joint joint conscious possession of four accused persons. The argument as advanced by the Ld. Advocates for the defence side can only be determined after taking into consideration the evidence. Considering the facts as stated above, prayer for bail of the accused persons are hereby rejected.

Return CD.

Superintendent of District Correctional Home, Raiganj is directed to produce the accused on the next date.

Let a copy of this order be sent to Superintendent of District Correctional Home, Raiganj for information and necessary action.

To **11.03.2022** for production and IO's report.

Spl.Judge(NDPS)
Raiganj,U/Dinajpur

Spl.Judge(NDPS)