

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

Order No.14
03.06.2022

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.

Accused 4. Sunil Kumar Basak is produced through Video Conferencing from District Correctional Home, Khagaria.

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

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. They also 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.

Seizure list, forwarding report clearly manifests the seizure of 100 bottles of Phensedyl Cough Syrup containing codeine phosphate was seized from the joint possession of accused persons. The quantity of seized narcotic substance is commercial. Considering the said fact, I am not inclined to release the accused on bail. Accordingly, prayer for bail of the accused persons are hereby rejected.

Superintendent of District Correctional Home, Khagaria, Bihar is directed to produce the accused Sunil Kumar Basak on the next date.

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

To **17.06.2022** for production and IO's report.

Spl.Judge(NDPS)

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