

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

**Order No.15**  
**17.06.2022**

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 petitions are filed for accused persons namely, 1. Sunil Kumar Basak, 2. Mithun Kumar Basak, 3. Ranjit Kumar Basak and 4. Saroj Kumar.

Copy of bail petitions are 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.

On perusal of the record, I find that commercial quantity of narcotic substance was seized from the possession of accused persons. As such, there is no scope to presume that accused persons are not guilty for committing the offence. 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 **01.07.2022** for production and IO's report.

Spl.Judge(NDPS)

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