

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

Order No.18
15.07.2022

Today is fixed for production and E.R of W.A in respect of accused Bishal Halder and Matiur Rahaman. 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.

No E.R of W.A is received in respect of accused Bishal Halder and Matiur Rahaman.

Hence, issue reminder.

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 for more than 186 days and investigation has already completed. 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.

It is evident from the record that seizure of commercial quantity of Narcotic substance was made from the joint possession of accused persons and to that effect charge-sheet has already submitted. As such, there is no scope to presume that the accused persons are not guilty for committing the offence. Accordingly, prayer for bail of the accused persons are hereby rejected.

To **29.08.2022** for production and E.R of W.A in respect of accused Bishal Halder and Matiur Rahaman.

I find from the record that Superintendent of District Correctional Home, Khagaria, Bihar was directed to produce the accused Sunil Kr. Basak on several occasions but to no good. In such a circumstances, Superintendent of District Correctional Home, Khagaria is directed to produce accused Sunil Kr. Basak positively on the next date.

Let a copy of this order be sent to Superintendent of District Correctional Home, Khagaria, Bihar and also to the Superintendent, District Correctional Home, Raiganj, Uttar Dinajpur for information and necessary action through proper channel as well as **through e-mail**.

Spl.Judge(NDPS)
Raiganj,U/Dinajpur

Spl.Judge(NDPS)