

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

**Order No.05**  
**28.01.2022**

Today is fixed for production and IO's report.

Accused 1. Sunil Kumar Basak, 2. Mithun Kumar Basak, 3. Ranjit Kumar Biswas and 4. Saroj Kumar are produced from J/C through V.C.

Bail petition is filed for accused persons namely, Ranjit Kumar Biswas and Saroj Kumar.

Copy of bail petition is served upon Ld. PP.

No bail petition is filed for accused persons namely, Sunil Kumar Basak and Mithun Kumar Basak.

It is submitted by the Ld. Advocate 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. Advocate for the accused persons submits that accused persons are in jail custody on and from 09.01.2022 and they have falsely implicated in this case. He further contended that accused persons are in no way connected in commission of the alleged offence. He further submits that the accused persons will not misuse the liberty and will face the trial, if they are released on bail. Accordingly, he prays 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 on bail and files objection u/s.37 of the NDPS Act.

On perusal of the record, I find that commercial quantity of Eskuf cough syrup containing codeine phosphate was seized and recovered from the joint possession of the present accused persons. As such, there is no scope to presume that accused persons are not guilty for committing offence. Considering the facts as stated above, prayer for bail of the accused persons are hereby rejected.

Call for CD.

To **11.02.2022** for production, IO's report and also for CD.

Spl.Judge(NDPS)  
Raiganj,U/Dinajpur

Spl.Judge(NDPS)

