

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

Order No.09
25.03.2022

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 Sunil Kr. Basak is not produced from J/C.

No report is received.

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

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 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 terms and 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 100 bottles of Eskuf Cough Syrup containing codeine phosphate was seized from the joint possession of the accused persons. The quantity is commercial one. As such, there is no scope to presume that accused persons are not guilty for committing the offence. Accordingly, prayer for bail of the accused persons are hereby rejected.

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

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

To **08.04.2022** for production and IO's report.

Spl.Judge(NDPS)
Raiganj,U/Dinajpur

Spl.Judge(NDPS)