

Spl. NDPS Case No.04 of 2022
JO CODE No.WB00766
CNR No.WBUD01-000228-2022

Order No.15

18.07.2022

Record is put up by petition files on behalf of custody accused persons namely, 1.Biren Das @ Daktar and 2. Avinash Kumar Basak.

Bail prayer is filed on behalf of accused persons namely, 1.Biren Das @ Daktar and 2. Avinash Kumar Basak on the ground that investigating agency failed to complete the investigation within statutory period.

Copy served upon Ld. PP in charge.

Ld. PP in charge is present.

Bail petition is taken up for hearing.

Heard Ld. Lawyer for the accused persons as well as Ld. PP in charge.

Ld. PP in charge also conceded the fact that today is the 181th day from the date of first production of the accused persons and investigation has not yet been completed.

Perused the case record.

On perusal of the case record I find that accused persons were brought under arrest on 19.01.2022 and since then they are in custody. From the marginal noted office report it is clear that charge sheet has not yet been submitted after completion of investigation. The mathematical calculation shows that today is the 181th day from the date when the accused persons were brought under arrest. That means, statutory period for completion of investigation has already over and no prayer has made by the IO praying for extension of time. Hence accused persons acquired a right to be enlarged on default bail. Accordingly, the prayer for bail of accused persons are hereby allowed.

The accused persons namely, 1.Biren Das @ Daktar and 2. Avinash Kumar Basak may find bail of Rs.10,000/- each with two sureties of Rs.5,000/- each, one of whom must be local subject to the satisfaction of Ld. CJM, Uttar Dinajpur on condition that they will not involve themselves in committing similar type of offence and will attend the court on each and every dates to be fixed.

If on bail to-date (**19.07.2022**) for appearance and IO's report.

Let a copy of this order be sent to Ld. CJM, Uttar Dinajpur at Raiganj for information and taking necessary action,

Spl.Judge(NDPS)

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