

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

Order No.04
02.02.2022

Today is fixed for production of accused persons and IO's report.

Accused persons namely, 1. Biren Das @ Daktar and 2. Avinash Kumar Basak are produced from J/C through V.C.

Bail petition is filed for accused persons namely, 1. Biren Das @ Daktar and 2. Avinash Kumar Basak

Copy of bail petition is served upon Ld. PP.

Ld. PP is present.

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 custody on and from 19.01.2022 and accused have falsely implicated in this case. He further contended that no narcotic substance was ever seized from the possession of accused persons. He also submits that there is no chance of abscondence of accused persons, if they are released on bail. For the reasons stated above, he prays for releasing the accused persons on bail on any condition or conditions.

On the other hand, Ld. PP raises objection regarding the release of the accused persons on bail and files objection u/s.37 of NDPS Act.

On perusal of the record, I find that commercial quantity of narcotic substance was seized and recovered from the possession of accused persons. At this stage, I find nothing to hold that accused persons are not guilty for committing the alleged offence. Accordingly, I am not inclined to release the accused persons on bail. Hence, prayer for bail of accused persons are hereby rejected.

To **16.02.2022** for production and IO's report.

Spl.Judge(NDPS)
Raiganj,U/Dinajpur

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Raiganj,U/Dinajpur