

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

Order No.06
02.03.2022

Today is fixed for production of accused persons and IO's report.
Accused Biren Das @ Daktar and Avinash Kumar Basak are produced from J/C physically.
Ld. PP in charge is present.

Bail petition is filed for accused Biren Das @ Daktar and Avinash Kumar Basak.
Fresh Vokatnama is filed by the Ld. Advocate for accused Biren Das @ Daktar.
Copy of bail petition is served upon Ld. PP in charge.

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 are innocent and they are in jail custody on and from 19.01.2022. He also submits that accused persons have falsely implicated in this case. According to him, accused persons are permanent resident within the jurisdiction of this court and there is no chance of their abscondence, if they are released on bail.

On that other hand Ld. PP in charge raises vehement 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 commercial quantity of Phensedyl Cough Syrup containing codeine phosphate was seized from the joint possession of the accused persons. At this stage, there is no scope to hold that accused persons are not guilty for commission of alleged offence. Accordingly, I am not inclined to release the accused persons on bail. Hence, prayer for bail of the accused persons are hereby rejected.

To **15.03.2022** for production, IO's report.

Spl.Judge(NDPS)
Raiganj,U/Dinajpur

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