

NDPS Case No20 of 2022
JO CODE No.WB00766
CNR No.WBUD01-000633-2022

Order No.13
17.06.2022

Today is fixed for production, IO's report and CD.

Accused persons namely, accused Nurul and Amir Mohammad @ Choko are produced from J/C physically.

Bail petition is filed for accused persons namely, Nurul and Amir Mohammad @ Choko.

Ld. PP in charge is present.

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 have falsely implicated in this case. He also submits that no narcotic substance was ever seized from the possession of accused persons. 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. Accordingly, he prays 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.

CD is not produced

On perusal of the record, I find that 1050 bottles of Phensedyl cough syrup containing codeine phosphate was seized and recovered from the physical possession of present accused persons and the quantity of narcotic substance 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 accused persons are hereby rejected.

The record reveals that CD was called for on 03.06.2022 with a direction upon the IO to produce the CD. The order was duly communicated vide memo.642 dated 03.06.2022 but in spite of the same IO did not bother to comply with the order of the court. Hence, IO is again directed to produce the CD positively on 01.07.2022.

IC, Goalpokher PS is directed to look after the matter personally, so that CD can be produced on the next date.

Let a copy of this order be sent to IC, Goalpokher PS for information and taking necessary action.

Call for CD.

To **01.07.2022** for production, IO's report and CD.

Spl.Judge(NDPS)
Raiganj,U/Dinajpur

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