

Spl. NDPS Case No.15 of 2021
JO CODE No.WB00766
CNR No. WBUD01-000357-2021

Order No.22
10.11.2021

Today is fixed for production and IO's report.

Accused Subham Tamang is produced from J/C.

Accused is representing through his Advocate Mr. Subhasish Paul appearing from DLSA pannel. Bail petition is filed for accused Subham Tamang on the ground that investigating agency failed to complete the investigation within statutory period. Copy is 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 person as well as Ld. PP in charge.

Ld. PP in charge also conceded the fact that today is the 265th day from the date of first production of the accused person and investigation has not yet been completed.

Perused the case record.

On perusal of the case record, I find that accused was brought under arrest on 18.02.2021 and since then he is 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 265th day from the date when the accused was 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 acquired a right to be enlarged on default bail. Accordingly, the prayer for bail of accused is hereby allowed.

The accused Subham Tamang may find bail of Rs.10,000/- with two sureties of Rs.5,000/- each, subject to the satisfaction of Ld. CJM, Uttar Dinajpur on condition that he will not involve himself in committing similar type of offence and will attend the court on each and every dates to be fixed.

If on bail to **28.01.2022** for appearance and IO's report.

Spl.Judge(NDPS)

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