

NDPS Case No. 11 of 2025
JO CODE No.WB01460
CNR No.WBUD01-000946-2025

Order No.

16.05.2025

Today is fixed for production and IO's report and also for hearing the bail petition filed on 03.05.2025.

Accused person Pintu Sk is produced from J/C through VC and remanded to J.C.

One statutory bail petition is filed on behalf of the accused person today. Copy has been served.

Ld. Counsels of both sides are present.

Ld. Advocate appearing on behalf of the accused person prays for not pressing the bail petition filed on 03.05.2025 by submitting that today one statutory bail petition is filed on behalf of the accused and he prays to move the statutory bail petition.

Heard both sides. Considered. Allowed the prayer of Ld. Advocate made on behalf of accused and accordingly the bail petition dated 03.05.2025 is hereby rejected being not pressed.

Now the statutory bail petition is taken up for hearing.

Ld. Advocates for the accused person submits that the accused person has been falsely implicated in this case and the accused person was produced before the Ld. CJM, Raiganj, Uttar Dinajpur on 14.03.2025 and he was produced before this Court on 17.03.2025 and since then he is in custody till date. It is also submitted that till date CS has not been submitted. It is further submitted that till date it is total 64 days since his arrest and thus it is beyond the statutory period, i.e., 60 days for the case being involved with recovery of 199 grams brown sugar which is intermediate quantity. Accordingly, he prays for statutory bail on any condition.

Ld. District P.P. fairly submits that till date CS has not been submitted and he leaves the matter to the discretion of the Court.

Perused the case record.

On perusal of the case record it appears that accused person was produced before this Court on 17.03.2025 and prior to that he was produced before the Ld. CJM, Raiganj, Uttar Dinajpur on 14.03.2025 and since then he is in custody. It also appears that CS has not been submitted till date and there is no prayer and / or order in terms of provision under Section 36A(4) of NDPS Act. It further appears that in the meantime total 63 days have already been elapsed which is beyond the statutory period in the instant case as the case involves recovery of 199 gms brown sugar which is less than commercial quantity. In the circumstances, I may not prejudice the indefeasible right accrued to the accused person.

On perusal of the case record and after hearing both sides, I am of the opinion that the prayer for statutory bail may be considered.

In the circumstances, bail prayer of the accused person is considered and allowed.

Thus, the accused person namely, **Pintu Sk** may find bail of Rs. 10,000/- with two registered sureties of Rs. 5,000/- each, to the satisfaction of Learned C.J.M., Raiganj, Uttar Dinajpur, on condition that on being released on bail the accused person shall meet the IO once in a week till submission of report in final form and shall not leave the jurisdiction of the local P.S. till disposal of this case and on condition that the accused person shall furnish full particulars of his stay in proper form to this Court along with the condition that the accused shall appear on each and every fixed date before this Court till disposal of the case, i/d to J.C.

To-date for production/appearance of the accused person, if on bail and I.O.'s report.

Let a copy of this order be forwarded to the Learned C.J.M., Raiganj, Uttar Dinajpur for information and necessary action.

Dictd & Corrt

Judge, Special Court, NDPS Act,
Raiganj.

by me,

Judge