

**Order No.32**

**21.10.2020**

Record is put up on the prayer of the Ld. Advocate for accused Md. Muslim @ Moslem Ali along with a prayer for bail.

One bail petition is filed on behalf of accused Md. Muslim @ Moslem Ali . Copy of bail petition served upon Ld. Spl. PP.

It is submitted by the Ld. Advocate appearing for the accused that no bail application is pending u/s.439 of Cr.P.C in respect of the present accused person in any higher forum.

It is submitted by the Ld. Advocate for the accused person that accused is languishing in jail custody since long and he has been falsely implicated in this case. He further submits that nothing was seized or recovered from the possession of the accused person. Accordingly he prays for releasing the accused on bail.

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

On perusal of the record I find that CS has already been submitted in this case and commercial quantity of contraband goods was recovered from the accused. As such there is no scope at this stage to hold that accused is not guilty for committing the offence. Considering the facts as stated above the prayer for bail of the accused is hereby rejected.

It is pertinent to mention that due to inadvertence on the last date i.e. 15.10.2020 the case was scheduled on 24.11.2020 for production, appearance of other accused and supply of copy. But on perusal of the record I find that warrant of arrest in respect of other accused Md. Muslaim was issued and another date be fixed on 05.01.2021 for E.R of W/A.

To-date(**24.11.2020**) for production.

Spl.Judge(NDPS)  
Raiganj,U/Dinajpur

Spl.Judge(NDPS)  
Raiganj,U/Dinajpur

