

Spl. NDPS Case No.50 of 2021
JO CODE No.WB00766
CNR No.WBUD01-001773-2021

Order No.06
07.09.2021

Today is fixed for production and IO's report.
Accused Uttam Mahato is produced physically from J/C.
Bail petition is filed for accused Uttam Mahato.
Copy of bail petition is served upon Ld. PP in charge.

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.

The Ld. Advocate for the accused submits that accused is innocent and he is in jail custody since 27.07.21. He further contended that accused has falsely implicated in this case and nothing was seized from the possession of present accused. He further submits that the accused person is a man of locality and there is no chance of his abscondence, if he is released on bail. Accordingly, he prays for releasing the accused on bail on any condition or conditions.

On that other hand Ld. PP in charge raises 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 30 bottles of Phensedyl cough syrup containing codein phosphate was seized and recovered from the possession of the accused person and the quantity is commercial one and to that effect charge sheet has already submitted u/s.21/22/23 of NDPS Act. As such, there is no scope to presume that accused is not guilty for committing the offence. Hence, prayer for bail of the accused is hereby rejected.

To **07.10.2021** for production and supply of copy.

Spl.Judge(NDPS)
Raiganj,U/Dinajpur

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