

Spl.NDPS Case No.53 of 2022
JO CODE No.WB00766
CNR No.WBUD01-001835-2022

Order No.04
19.07.2022

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

Accused persons namely, Amit Mitra @ Raja and Kanhaiya are physically produced from J/C.

Bail application is filed for accused persons namely, Amit Mitra @ Raja and Kanhaiya.

Copy of bail petitions are served upon Ld. PP in charge.

Ld. PP in charge is present.

CD is not produced.

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. Advocates for the accused persons submit that accused are innocent and they have falsely implicated in this case. They further submit that accused persons are men of Islampur and there is no chance of their abscondence. The specific contention of the Ld. Advocates is that both the accused persons are labouring profession and they have no connection in dealing with the narcotic substance. Accordingly, he prays for releasing the accused persons on bail on any condition or 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 today but at the same time the record shows the recovery of huge quantity of Phensedyl cough syrup containing codeine phosphate from the physical possession of accused persons. Considering the same, prayer for bail of the accused persons are hereby rejected.

I find from the record that CD was called for on 07.07.2022 and the order was duly communicated to the IO but he failed to produce CD today. Hence, IO is directed to send CD positively on the next date. IC, Goalpokher PS is directed to look into the matter so that the CD could be produced positively on that date.

Let a copy of this order be sent to IC, Goalpokher PS for information and taking necessary action. Petitioner, Swarnalata Sarkar files one petition praying for return of the seized vehicle, claiming to be the registered owner of seized vehicle bearing no.WB-92E/5628.

Let a report be called for from the IO. IO is directed to submit his report regarding the ownership of seized vehicle within seven days from the date of order.

Call for CD.

To **02.08.2022** for production, IO's report and also for CD.

Spl.Judge(NDPS)
Raiganj,U/Dinajpur

Spl.Judge(NDPS)
Raiganj,U/Dinajpur