

NDPS Case No.53 of 2022
JO CODE No.WB00874
CNR No.WBUD01-001835-2022

Order No.08

16.08.2022

Regular PO has already been transferred.

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 petitions are filed for accused persons namely, Amit Mitra @ Raja and Kanhaiya.

Ld. PP in charge is present.

CD is produced.

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

It is submitted by the Ld. Advocate for accused persons that no bail application u/s.439 of Cr.P.C is pending or being rejected in respect of this accused persons before any higher forum.

Ld. Advocates for the accused persons submit that accused persons are innocent and they have been falsely implicated in this case. They further submit that nothing has been seized from the possession of the accused persons. Ld. Advocate for accused persons also submit that they are in custody for more than one month. Accordingly, they pray for grant of bail on any terms and conditions.

Ld. PP in charge raises objection regarding the prayer for bail and by filing objection u/s.37 of NDPS Act.

Heard both sides. Perused the case record.

On perusal of the case record, I find that commercial quantity of Phensedyl containing codeine phosphate has been seized from the possession of the accused persons. So, there is no scope to presume that accused persons are not guilty for committing the alleged offence. Accordingly, prayer for bail of accused persons are considered and rejected.

CD be returned.

To **30.08.2022** for production and IO's report.

Spl.Judge(NDPS)
Raiganj,U/Dinajpur

Spl.Judge(NDPS)in-ch.
Raiganj,U/Dinajpur