

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

Order No.10

13.09.2022

Regular PO has already been transferred.

Today is fixed for production and IO's report.

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

Two separate bail applications have been filed on behalf of accused persons.

Copy of bail applications 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 labour and they have no hands in the alleged offence and they have been falsely implicated in this case. Ld. Advocates for accused persons further submit that they are in custody for more than one and half months and the search and seizure has already been completed and there is no necessity for further detention of the accused persons in custody for the purpose of investigation. Accordingly, they pray for grant of bail.

Ld. PP in charge raises strong objection and prays for rejection of the bail applications and files objection u/s.37 of NDPS Act.

Heard both sides. Perused the case record.

It appears that commercial quantity of contraband narcotic substance in the form of Phensedyl has been allegedly seized and recovered from the possession of the accused persons. As such, there is no scope to presume that accused persons are not involved in the commission of the alleged offence. So, considering the nature and gravity of the offence and the materials on record, I am not inclined to allow the prayer for bail. Therefore, prayer for bail of accused persons are considered and rejected.

Call for CD.

To **27.09.2022** for production, IO's report and CD.

Spl.Judge(NDPS)
Raiganj,U/Dinajpur

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