

*NDPS Case No.19 of 2023*  
**JO CODE No.WB00575**  
*CNR No.WBUD01-001987-2023*

**Order No.07**

**14.08.2023**

The record is placed as the date fixed for CD.

One bail application is filed on behalf of the custodial accused Bhola Sarkar @ Prasenjit Sarkar.

Ld. PP in charge has endorsed on that application, seen with objection.

Ld. Lawyer for the accused person is present.

Ld. PP in charge is also present with CD.

The record is taken up for hearing the application.

Ld. Lawyer for the accused person moves his bail application, submitting inter alia that his client has been in custody since 23.06.2023 and the recovered quantity is not commercial quantity and his client is having permanent hearth and home, no chance of absconding. So he be allowed on bail in any condition as the court may deem fit.

Ld. PP in charge raises objection and submits that in CD after 26.07.2023 there is no further update.

Perused the case record and case diary, it appears that in total 7 kgs 262 gms of alleged Ganja has been recovered from the possession of the accused person which is not commercial quantity but intermediary quantity. It is further revealed that the inventory has been done on 26.07.2023 and sample has been collected during inventory. Thereafter no further development in CD.

It is pertinent to mention that Sec.37 of the NDPS Act is not bar in this case.

Considering the stage of investigation and keeping in mind his considerable period of detention since 23.06.2023, I find no justifiable reason to detain the accused person further for sake of further investigation.

As such, this accused person be enlarged on bail of Rs.6,000/- with two sureties of Rs.3,000/- each, to the satisfaction of this court along with condition to meet IO twice in a week until further order. I.D to J/C.

Return CD.

If on bail to-date (21.08.2023) for further order.

Judge Special Court (NDPS)  
Raiganj, Uttar Dinajpur

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Raiganj, Uttar Dinajpur