

NDPS Case No.16 of 2021
JO CODE No.WB00766
CNR No.WBUD01-000670-2021

Order No.03
19.03.2021`

Today is fixed for production of accused persons and IO's report.
Accused 1. Dipak Dubedi and 2. Md. Yusuf are produced from J.C.
Bail petition is filed for accused 1. Dipak Dubedi and 2. Md. Yusuf .
Copy of bail petitions are served upon Ld. PP in charge.

It is submitted by the Ld. Advocates 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 persons are innocent and they are in custody on and from 05.03.2021. They also submit that accused persons have falsely implicated in this case. According to him, accused persons are the man of locality and there is no chance of their abscondence, if they are released on bail. The Ld. Advocate for accused Dipak Dubedi specifically contended that accused is a driver of a commercial vehicle and who went to Malda to drop the passengers and on the way accused Md. Yusuf boarded the vehicle. He further contended that being a driver of commercial vehicle he had no idea or knowledge about the passenger and his luggage. According to him, if anything was recovered from the vehicle that was beyond the knowledge of the driver. For the reasons stated above, he prays for releasing the accused on bail on any condition or conditions.

On the other hand Ld. PP in charge raises objection regarding the release of accused persons on bail.

On perusal of the record as well as case diary, I find that more than 5 kgs of ganja was recovered from the vehicle and accused Dipak Dubedi was the driver of that vehicle and the other accused was the passenger. It further appears from the record that there is no material in the CD from which it can be ascertained that accused Dipak Dubedi was not aware about the said contraband goods which was found in his vehicle. Considering the facts as stated above the prayer for bail of the accused persons are hereby rejected.

Call for CD.

To **01.04.2021** for production and IO's report.

Spl.Judge(NDPS)

Raiganj,U/Dinajpur

Spl.Judge(NDPS)

Raiganj,U/Dinajpur