

*NDPS Case No.92 of 2021*  
**JO CODE No.WB00766**  
*CNR No. WBUD01-003249-2021*

**Order No.12**  
**10.03.2022**

Today is fixed for production and IO's report.  
Accused persons namely, 1. Tapas Biswas, 2. Fakaruddin and 3. Sadhan Sharma are produced from J/C physically.

Bail petition is filed for accused persons namely, 1. Tapas Biswas, 2. Fakaruddin and 3. Sadhan Sharma.

Copy of bail petition is filed for accused persons namely, 1. Tapas Biswas, 2. Fakaruddin and 3. Sadhan Sharma .

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. Advocate for the accused persons submits that accused persons are in custody on and from 08.11.2021 and they have falsely implicated in this case. The Ld. Advocate for accused persons further contended that accused persons are in no way connected in commission of the alleged offence. He further submits that accused persons will not misuse the liberty on bail and there is no chance of their abscondence, if they are released on bail. Accordingly, he prays for releasing the accused persons on bail on any terms and conditions.

On the other hand, Ld. PP in charge raises vehement objection regarding the release of the accused persons on bail and files objection u/s.37 of the NDPS Act.

On perusal of the record, I find that 2,101.07 kgs of Ganja was recovered from the possession of present accused persons. The quantity is commercial one. As such, there is no scope to hold that accused persons are not guilty at this stage. Considering the facts as stated above, the prayer for bail of the accused persons are hereby rejected.

To **24.03.2022** for production and IO's report.

Spl.Judge(NDPS)

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