

NDPS : 11/21 (CIS No. 11/21)

CNR: WBWM01-004010-2021

**Present: Smt. Indrila Mukhopadhyay Mitra. (JO Code WB00656)
(In-Charge).**

Order No. 04, Dated: 21.06.2021

Today is fixed for production and report in final form.

Both the accused are not produced form J/C.

No report is received in final form.

Regular PO is transferred.

PO-in-Charge is busy with her own file.

In view of Hon'ble High Court notification no. 2180-RG, dated: 16.05.2021 and Learned District Judge, Paschim Medinipur, Establishment Order No. 69, dated: 16.06.2021, the court is directed to function in a restricted manner for dealing with urgent matters only.

As per resolution of the Bar Association of Paschim Midnapore, dated 16.06.2021, the members have abstained from judicial work till 30.06.2021 due to present pandemic Covid-19 situation.

In the circumstances, the case is adjourned today.

Fix **05.07.2021** for production and report in final form.

Dict. & Corr. by me.

Judge, Special Court,
NDPS Act, Paschim Medinipur
In-Charge.

Judge, Special Court,
NDPS Act, Paschim Medinipur
In-Charge.

Later

Dated 21.06.2021.

The accused Rohit Sharma @ Rahul and Pritam Das @ Babu are produced through Video-conferencing.

One bail petition is filed on behalf of accused persons, namely, Rohit Sharma @ Rahul and Pritam Das @ Babu by Ld. Advocate Sri Ankur Karmakar. Another bail petition is filed on behalf of the same accused persons by Ld. Advocate Sri Samaresh Chakraborty and the third bail petition is filed on behalf of the accused Rohit Sharma by Ld. Advocate Sri Arindam Das who has been appointed by DLSA, Paschim Medinipur to defend this accused. Ld. Advocate Sri Arindam Das has filed his letter of appointment issued by the Secretary, DLSA, Paschim Medinipur.

On being asked the accused Rohit Sharma @ Rahul has submitted virtually that he intends to continue his case by Ld. Advocate Sri Samaresh Chakraborty and it is submitted by him further that he does not want to give his brief to Ld. Advocate appointed by the District Legal Services Authority, Paschim Medinipur or by Ld. Advocate Sri Ankur Karmakar who was conducting his case.

The accused Pritam Das @ Babu has submitted virtually that he intends to continue his case through Ld. Advocate Sri Samaresh Chakraborty and he does not want to give his brief to Ld. Advocate Sri Ankur Karmakar.

In view of the above submission, the bail petition filed by Ld. Advocate Sri Ankur Karmakar and the bail petition filed by Ld. Advocate Sri Arindam Das who was appointed by DLSA, Paschim Medinipur are rejected.

The copy of bail petition filed on behalf of accused persons namely, Rohit Sharma @ Rahul and Pritam Das @ Babu by Ld. Advocate Sri Samaresh Chakraborty is not served to the prosecution.

It is submitted by the Defence that no bail petition of this accused is either pending or was rejected by any higher forum.

It is submitted on behalf of accused Rohit Sharma @ Rahul and Pritam Das @ Babu that they are in custody since 24.05.2021. They are completely innocent. There is no chance of their absconding and in view of the above it is prayed that they may be enlarged on bail on any condition.

State of West Bengal is found unrepresented on call.

I have carefully considered the materials on record.

I find that commercial quantity of contraband articles were recovered from the possession of these accused persons.

The investigation is in its initial stage. As the commercial quantity of contraband articles were recovered from the possession of these accused persons, I do not find any reason to hold that they are not guilty at this stage by reason of Section 37 of N.D.P.S. Act.

In view of the above, I am not inclined to enlarge this accused on bail.

Accordingly, the prayer for bail of the accused persons namely Rohit Sharma @ Rahul and Pritam Das @ Babu is **rejected**.

To date , that is, **05.07.2021** for production and the report in final form.

Dict. & Corr. by me.

Judge, Special Court,
NDPS Act, Paschim Medinipur
In-Charge.

Judge, Special Court,
NDPS Act, Paschim Medinipur
In-Charge.