

IN THE COURT OF SESSIONS JUDGE-CUM SPECIAL COURT
OF NDPS ACT, GAYA
N.D. P. S. Case No. 39/2021
State Vrs. Neeraj Kumar and others

29.11.2021 Two FIR named accused Neeraj Kumar and Satyendra Kumar Ojha being in judicial custody have been produced through VC and remanded back to jail, Another FIR accused Deepu Singh is still not arrested.

Now I.O. of this case has submitted charge sheet bearing No. 634/2021 dated 28.10.2021 along with case diary against the aforesaid accused Neeraj Kumar and Satyendra Kumar Ojha. In the charge sheet, the I. O. has mentioned that the case is true against not only the charge sheeted accused Neeraj Kumar and Satyendra Kumar Ojha but also against the accused Deepu Singh but surprisingly, charge sheet has not been submitted against the said accused Deepu Singh showing investigation against him pending.

After perusal of the relevant police material on record. I find that there is sufficient material to make out prima facie offence punishable U/s 20 (b)(i)(C) of NDPS Act and hence, the cognizance of the offence punishable U/ss 20(b)(i)(C) of NDPS Act is taken.

After perusal of the relevant police material, it transpires that there is sufficient material on record showing involvement of accused Neeraj Kumar, Satyendra Kumar Ojha and Deepu Singh in the alleged offence. Hence, all the aforesaid three accused are proceeded against and to secure presence of accused Deepu Singh, N.B.W/A is directed to be issued against the said Deepu Singh.

It is surprising that till date, I O. has not taken any step to arrest this main accused Deepu Singh nor has he sought any process like warrant of arrest etc from the Court to secure his attendance. This is a matter of serious concern. Let a copy of this order be sent to the SSP, Gaya for his information.

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As investigation is pending against unknown accused, the case record be split up for the rest unknown accused persons against whom, investigation is pending and record of accused Neeraj Kumar, Satyendra Kumar and Deepu Singh is transferred to the Court of learned Addl. Sessions Judge-I, Gaya fixing 13.12.2021 for further proceeding according to law.

The Jail Superintendent is directed to produce accused Neeraj Kumar and Satyendra Kumar Ojha before the Court of learned Addl. Sessions Judge- I, Gaya on the next date fixed.

Sd/-

(Jitendra Kumar)

Sessions Judge Cum Special Court ,

N.D.P.S.Act, Gaya