

CHARGES WITH SIX HEADS

[No. XXVII (II), SCHEDULE V, ACT V, 1808]

Sections 221, 222, 223, Code of Criminal Procedure.

I, (i) **Smt. Sharanya Sen Prasad**
Additional District & Sessions Judge, 3rd Court -cum-ADJ,
Special (NDPS) Court, in-charge
Balurghat, Dakshin Dinajpur.

hereby charge you ⁽²⁾

as follows:-

Ashim Sarkar and Basu Ghosh @ Basudeb Ghosh

Firstly---- That on 04/05.10.2025 in between 23.05 hrs to 01.15 hrs in the house of Joydeb Sarkar at village Purba Halderpara, ward no. 14, under PS Gangarampur, Dist. Dakshin Dinajpur, Police personnel of Gangarampur PS apprehended Ashim Sarkar and found that tried to smuggle of 4700 nos. of Phensedyl bottles containing "Codeine and Chlorpheniramine" and 10050 nos. of Buprenorphine Injection IP amounting to commercial quantity with the help of Basu Ghosh @ Basudeb Ghosh without any valid documents for the purpose of sell or transport and you have thereby committed an offence punishable **U/S.21(c) of the N.D.P.S. Act**, and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge.

Secondly---- That on 04/05.10.2025 in between 23.05 hrs to 01.15 hrs in the house of Joydeb Sarkar at village Purba Halderpara, ward no. 14, under PS Gangarampur, Dist. Dakshin Dinajpur, Police personnel of Gangarampur PS apprehended Ashim Sarkar and found that tried to smuggle of 4700 nos. of Phensedyl bottles containing "Codeine and Chlorpheniramine" and 10050 nos. of Buprenorphine Injection IP amounting to commercial quantity with the help of Basu Ghosh @ Basudeb Ghosh without any valid documents for the purpose of sell or transport and you have thereby committed an offence punishable **U/S.22(c) of the N.D.P.S. Act**, and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge.

Thirdly---- That on 04/05.10.2025 in between 23.05 hrs to 01.15 hrs in the house of Joydeb Sarkar at village Purba Halderpara, ward no. 14, under PS Gangarampur, Dist. Dakshin Dinajpur, Police personnel of Gangarampur PS apprehended Ashim Sarkar and found that tried to smuggle of 4700 nos. of Phensedyl bottles containing "Codeine and Chlorpheniramine" and 10050 nos. of Buprenorphine Injection IP amounting to commercial quantity with the help of Basu Ghosh @ Basudeb Ghosh without any valid documents for the purpose of transship, export of import and you have thereby committed an offence punishable **U/S.23(C) of the N.D.P.S. Act**, and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge.

And I hereby direct that you be tried by this Court on the said charge.

Fourthly---- That on 04/05.10.2025 in between 23.05 hrs to 01.15 hrs in the house of Joydeb Sarkar at village Purba Halderpara, ward no. 14, under PS Gangarampur, Dist. Dakshin Dinajpur, Police personnel of Gangarampur PS apprehended Ashim Sarkar and found that tried to smuggle of 4700 nos. of Phensedyl bottles containing "Codeine and Chlorpheniramine" and 10050 nos. of Buprenorphine Injection IP amounting to commercial quantity with the help of Basu Ghosh @ Basudeb Ghosh without any valid documents for the purpose of transship, export of import and you have financed the said illicit traffic and you have thereby committed an offence punishable **U/S.27A of the N.D.P.S. Act**, and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge.

Fifthly---- That on 04/05.10.2025 in between 23.05 hrs to 01.15 hrs in the house of Joydeb Sarkar at village Purba Halderpara, ward no. 14, under PS Gangarampur, Dist. Dakshin Dinajpur, Police personnel of Gangarampur PS apprehended Ashim Sarkar and found that tried to smuggle of 4700 nos. of Phensedyl bottles containing "Codeine and Chlorpheniramine" and 10050 nos. of Buprenorphine Injection IP amounting to commercial quantity with the help of Basu Ghosh @ Basudeb Ghosh thus you both have attempted to commit an offence punishable under the NDPS Act or to cause such offence to be committed and in such attempted did any an act, and you both have thereby committed an offence punishable **U/S.28 of the N.D.P.S. Act**, and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge.

Sixthly---- That on 04/05.10.2025 in between 23.05 hrs to 01.15 hrs in the house of Joydeb Sarkar at village Purba Halderpara, ward no. 14, under PS Gangarampur, Dist. Dakshin Dinajpur, you all being a party to a criminal conspiracy to commit an offence punishable under the provision of NDPS Act and you all have thereby committed an offence punishable U/s. **29 of NDPS Act** and within my cognizance of this Court.

And I hereby direct that you be tried by this Court on the said charge.

The contents of the charges are read over and explained to the accused persons in Bengali to which they pleads **not guilty** and claims to be tried.

Dated, the 03th day of December, 2025.

**Special Judge (under NDPS
ACT)-cum-ADJ, 3rd Court,
Balurghat, Dakshin
Dinajpur.**

In the Court of the Additional District & Sessions Judge, 3rd Court,
Dakshin Dinajpur at Balurghat
NDPS Case No.47 of 2024 (Computer Registration No.47/2024)
(Session Trial No. 88/2025) CNR No.WBDD01-002694-2025.
Present :- Smt. Sharanya Sen Prasad (J.O Code No.WB 00690).

Order No.01
03.12.2025

Accused persons namely **Ashim Sarkar and Basu Ghosh @ Basudeb Ghosh** are produced from J.C and remanded to J.C. till next date.

The learned P.P-in-charge and the learned advocate for the accused persons are present.

Heard both sides. Perused the materials on record and the case diary.
Considered.

A bail petition is filed on behalf of the said accused **Basu Ghosh @ Basudeb Ghosh**. Copy served. The said petition is taken up for hearing.

Ld. Adv for the accused person prays for bail on the ground of non-absconsion as the accused being local resident. The prayer is opposed by the Ld. P.P as the charge sheet of this case already been submitted.

Heard both sides and considering the materials on record including the quantity of seizure of contrabands, the prayer for bail of accused **Basu Ghosh @ Basudeb Ghosh** is hereby **rejected**.

Considering C.D. and material on record, it appears that a prima facie charge under Sections **21(c)/22(c)/23(c)/27A/28/29 of N.D.P.S** Act is made out against accused person namely **Ashim Sarkar and Basu Ghosh @ Basudeb Ghosh**.

The contents of charge, is read over and explained to the accused person to which he pleaded **not guilty** and claimed to be tried.

Formal charge is written in separate sheet and kept in the record.

Heard both sides in order to ascertain if they wish to carry out admission of any document under Section 294 of the Cr.P.C. and the evidence already recorded for the other accused persons.

Fix 12.01.2026 for examination of CSW No. 1 and 2.

13.01.2026 for examination of CSW No. 3 and 4.

14.01.2026 for examination of CSW No. 5 and 6.

15.01.2026 for examination of CSW No. 7 and 8.

16.01.2026 for examination of CSW No. 10 and 13.

17.01.2026 for examination of CSW No. 14 and 15.

Issue summons.

Dictated & corrected by me

**Special Judge (under NDPS
ACT)-cum-ADJ, 3rd Court,
Balurghat,Dakshin
Dinajpur.**

**Special Judge (under NDPS
ACT)-cum-ADJ, 3rd Court,
Balurghat,Dakshin
Dinajpur.**