

Special Case No. 08 of 2026

Order No. 21

14.07.2026

Today, the case is fixed for production of the accused persons and consideration of charge.

Both the accused persons, namely, Raju Das and Babli Mallick, in JC, are produced from Burdwan Central Correctional Home through VC.

A bail-petition has been filed on behalf of accused Babli Mallick, praying for her release on bail on the ground stated therein.

Heard Ld. Defence Lawyer and Ld. PP-in-Charge. Perused the record. Considered.

Ld. Lawyer for the accused submits that the accused is detained in custody for long and she has been falsely implicated in this case. The accused is a female subject and prays for bail on any condition.

Ld. PP-in-Charge vehemently opposes the prayer for bail.

It appears from the record that after filing charge-sheet against the accused persons u/s 20(b)(ii)(C)/29 of NDPS Act, 1985 and MV Act. The charge has not yet been framed. In such circumstances, I do not find any ground to release the accused on bail. Moreover, statutory restrictions relating to commercial quantity of contraband drugs as laid down in Section 37 of the NDPS Act bars the release of the accused on bail.

Considering the above fact, prayer for bail of the accused is rejected.

Now, the case-record is taken up for consideration of charge.

Heard both sides. Perused the materials on record and the C.D. Considered.

On perusal of the case-diary, materials available on record and considering the submissions advanced by Ld. Counsels of both sides on the point of charge, prima facie, it appears to this Court that there are sufficient grounds to presume that the accused persons, have committed the offences punishable under Section 20(b)(ii)(C)/29 of the N.D.P.S. Act, 1985 and under Sections 179/184 of the M.V. Act.

Hence, the charge under Section 20(b)(ii)(C)/29 of the NDPS Act, 1985 and under Section 179/184 of the M.V. Act is framed against the accused persons in a separate sheet which is kept with the record.

The contents of the charge are read over and explained to the accused persons of this case and they are asked individually whether they plead guilty or not. The accused

persons pleaded 'not guilty' by individually saying in Bengali "Ami Nirdosh" and claimed to be tried.

To **19.08.2026** for production of the accused persons and evidence of CSW No. 1,

20.08.2026 for production of the accused persons and evidence of CSW No. 2,

21.08.2026 for production of the accused persons and evidence of CSW No. 3.

Issue summons upon the above C.S. witnesses accordingly.

Prosecution is directed to ensure production of the witnesses and production of Alamats on the aforesaid dates fixed for trial.

Dictated & Corrected by me.

Judge, 3rd Special Court (NDPS Act),
Burdwan

Judge, 3rd Special Court (NDPS Act),
Burdwan