

Special Case No. 12 of 2025

Order No. 22

21.01.2026

Today, the case is fixed for production of the accused persons and consideration of charge. Today is also fixed for hearing of bail-petitions.

All the six accused persons, namely, 1) Puja Kirtania, 2) Srimal Barman, 3) Akash Sikdar, 4) Sanjoy Das, 5) Prasenjit Roy and 6) Santu Ali Molla, are produced from the Correctional Home through VC. They are remanded to JC till 06.04.2026. To date for production.

Ld. Special P.P. is present.

The case is taken up for consideration of charge.

Heard both sides. Perused the materials on record. Considered.

On perusal of the 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. Hence, the charge under Section 20(b)(ii)(C)/29 of the NDPS Act, 1985 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 whether they plead guilty or not. The accused persons plead 'not guilty' by saying 'Nirdosh' and claim to be tried.

Now, the bail-petitions filed on behalf of accused Srimal Barman, Santu Ali Molla, Prasenjit Roy and Sanjoy Das, are taken up together for hearing.

Heard both sides. Perused the bail-petitions and the record. Considered.

Ld. Lawyers for the accused persons submit that the accused persons are innocent and they have been falsely implicated in this case. They pray for bail of accused persons on any condition.

Ld. Special PP vehemently opposes the prayer for bail and submits that this is a case involving commercial quantity of Ganja and grant of bail by this court is barred u/s 37 of NDPS Act.

It appears from the record that complaint has been filed against the accused persons u/s 20(b)(ii)(C)/29 of NDPS Act against the accused persons for recovery of 54.210 kg of Ganja from the possession of the accused persons. Charge has been framed against the accused persons this day. The case involves recovery of commercial

quantity of Ganja from the possession of the accused persons and grant of bail by this court is barred in view of the provisions of Section 37 of NDPS Act.

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

Hence, prayers for bail of accused persons are rejected.

Fix 06.04.2026 for production of the accused persons and evidence of CSW No. 1.

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

Prosecution is directed to ensure attendance of the witness and production of Alamats on the aforesaid date fixed for trial.

Dictated & Corrected by me.

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

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