

Special Case No. 14 of 2025

Order No. 17

17.02.2026

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

Both the accused persons, namely, Rabi Sarkar and Bijay Banik @ Shasthi Banik, in JC, are produced today virtually through VC.

Ld. P.P.-in-Charge is also present.

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. Hence, the charge under Section 20(b)(ii)(C)/25/29 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 pleaded 'not guilty' and claimed to be tried.

A bail-petition is filed on behalf of accused Rabi Sarkar, praying for his bail on the ground stated therein. A certified copy of order of Hon'ble High Court is also filed.

The bail-petition of accused Rabi Sarkar is taken up for hearing.

Heard both sides. Perused the bail-petition, certified copy of order of Hon'ble Court and the record. Considered.

It appears from the certified copy of order of Hon'ble High Court at Calcutta that in CRM (NDPS) No. 172 of 2026, the Hon'ble High Court at Calcutta has been pleased to order that "the Ld. Special Court would release the petitioner on bail after the stage of consideration of charge is over on such conditions as it deems fit and proper for ensuring appearance of the petitioner in course of the trial." Charge of the accused persons has been framed today. In view of the order of Hon'ble Court, prayer for bail of accused Rabi Sarkar is allowed. Accused Rabi Sarkar may find bail of Rs. 10,000/- with two sureties of Rs. 5,000/- each, one of whom must be local, on condition that the accused shall appear before the court on each and every date during the trial, i.d. to JC.

Fix 01.04.2026 for appearance/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 Alamat on the aforesaid date fixed for trial.

Dictated & Corrected by me.

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

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