

THE COURT OF ADDITIONAL SESSIONS JUDGE, 1st COURT(NDPS), SADAR,
COOCH BEHAR

NDPS Case No. 01 of 2025
CNR No. WBCB01-000004-2025

State

Vs

1. Nurjamal Miya, 2. Ajijar Rahaman @ Pocha and 3. Hasanur Jaman Sekh
Ref : Pundibari PS case No. 1096/24 dated 30.12.2024 and GDE Nos. 1672 and 1684
dated 29.12.2024

u/s 21(C)/29 of the NDPS Act

Present : Mukul Kumar Kundu

Additional Sessions Judge,
1st Court, (NDPS), Cooch Behar.
JO Code No. WB00654

Order No. 1
dated 02.01.2025

Received original case record vide order dated 30.12.2024 in connection with Pundibari PS Case No. 1096/24 dated 30.12.2024 u/s 21(C)/29 of the NDPS Act from the Court of Ld. Chief Judicial Magistrate, Cooch Behar along with connected documents. Let the case be registered as NDPS Case and the documents be kept with the record.

As per order dated 30.12.2024 of Ld. CJM, Cooch Behar accused 1. Nurjamal Miya, 2. Ajijar Rahaman @ Pocha and 3. Hasanur Jaman Sekh are produced from police remand after completion of three days police remand along with police remand forwarding report and medical documents by I.O. SI Jyotiranjana Barman of Pundibari PS who are remanded to J.C. till 14.01.2025.

I.O. SI Jyotiranjana Barman of Pundibari PS appears along with CD and submits for allowing the prayer for inventory of the seized items submitted before the Ld. CJM, Cooch Behar on 30.12.2024.

A bail petition along with vakalatnama is filed on behalf of the above accused 1. Nurjamal Miya, 2. Ajijar Rahaman @ Pocha and 3. Hasanur Jaman Sekh praying for bail on the ground stated therein.

Copy served.

Ld. PP in charge and Ld. Lawyer for the accused are present.

ORDER REGARDING BAIL PETITION

Now the bail petition filed today is taken up for hearing.

Heard both sides.

It is submitted by the Ld. Advocate for the accused persons that they have been falsely implicated in this case and have permanent residences in the locality. So, they may be granted bail in any terms and conditions.

Ld. PP in charge oppose the bail prayer considering the nature of the offence where sufficient quantity of narcotic substances were seized and the case is at initial stage of investigation.

Perused the materials on record, case diary and submission.

Having heard the submission of both sides and on perusal of the case diary I find that altogether 260 grams of Brown Sugar like substance has allegedly been recovered from the possession of the accused persons which appears to be commercial in quantity and there are sufficient incriminating materials against the accused person u/s 21(C)/29 of the NDPS Act. Therefore the bail prayer of the above accused persons may not be allowed.

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Considering all aspects and grievous nature of offence as well as early stage of investigation, I am not inclined to enlarge accused on bail at this stage. Hence prayer for bail in respect of accused 1. Nurjamal Miya, 2. Ajijar Rahaman @ Pocha and 3. Hasanur Jaman Sekh stands rejected.

ORDER REGARDING INVENTORY

Now the record is taken up for consideration of prayer dated 30.12.2024 submitted before Ld. CJM, Cooch Behar for inventory and certification of the sized substances suspected to be brown sugar.

Perused the prayer of I.O. for inventory seized articles.

Considered.

The prayer of the I.O. as sought for is allowed in the interest of investigation.

I.O. SI Jyotiranjana Barman of Pundibari PS is directed to produce the seized articles after preparation of the inventory in connection with this case before the designated court i.e. Ld. Judicial Magistrate, 2nd Court, Sadar, Cooch Behar for the purpose of certifying inventory list as per provision of section 52A of NDPS Act.

Ld. Judicial Magistrate shall certify the correctness of the inventory in respect of each of the packet of the articles with their respective weight separately in accordance with law prepared by I.O. and shall also certify the same which shall be considered as evidence for the purpose of trial.

Ld. Judicial Magistrate shall also prepare sample as arranged by the I.O. and certify the same as per the provision of section 52A of NDPS Act and accordingly, submit his/ her detail report of inventory and certification to this court along with photographs/ videography of the seized materials in accordance with law.

Let the case diary be returned to the I.O. at once.

Let a copy of this order be sent to the Ld. CJM, Cooch Behar and Ld. Judicial Magistrate, 2nd Court, Sadar, Cooch Behar for their information and necessary action.

Let another copy of this order be handed over to the SI Jyotiranjana Barman of Pundibari PS Cooch Behar, for information and taken necessary action.

To 14.01.2025 for production of the accused persons from J.C. through video conference and I.O.'s report.

Dictated & Corrected by,
Sd/-

Addl. Sessions Judge, 1st Court,
(NDPS) Cooch Behar.

Sd/-

Addl. Sessions Judge, 1st Court,
(NDPS) Cooch Behar.