

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

NDPS Case No. 06 of 2025

CNR No. WBCB01-000064-2025

State

Vs

Ajit Mandal

Ref : Baxirhat PS Case No. 05/2025 dated 03.01.2025 and GDE Nos. 120 and 133
dated 03.01.2025

u/s 21(C)/22(C) of the NDPS Act

Present : Mukul Kumar Kundu

Additional Sessions Judge,

1st Court, (NDPS), Cooch Behar.

JO Code No. WB00654

Order No. 1

dated 04.01.2025

Received accused challan, Formal FIR, written complaint, notice u/s 50 of The NDPS Act, arrest-cum-inspection memo, seizure list dated 03.01.2025, medical documents and accused forwarding etc. from Baxirhat PS vide Baxirhat PS Case No. 05/2025 dated 03.01.2025 u/s 21(C)/22(C) the NDPS Act. Let the case be registered as NDPS Case and the documents be kept with the record.

Accused **Ajit Mandal is** brought under arrest from Baxirhat PS in connection with above reference case who is taken into custody and remanded to J.C. till 17.01.2025.

I.O. SI Sudhir Goswami of Baxirhat PS appears along with CD and prays for authentication of seized alamats, allowing five days police remand in respect of accused Ajit Mandal and permission for certification of inventory list of seized like to be Heroin.

A bail petitions along with Vakalatnama is filed on behalf of the above accused praying for bail on the ground stated therein.

Copy served.

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

Seen and considered. The prayer for authentication of seized alamats as sought for is allowed.

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 person that he has been falsely implicated in this case and have permanent residences in the locality. So, he 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.

NDPS Case No. 06 of 2025

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 922 gm of Heroin like substance has allegedly been recovered from the possession of the accused person and there are sufficient incriminating materials against the

accused person u/s 21(C)/22(C) of the NDPS Act. Therefore the bail prayer of the above accused person may not be allowed.

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 Ajit Mandal stands rejected.

ORDER REGARDING PRAYER OF POLICE CUSTODY

Now the record is taken up for consideration of prayer of five days police remand in respect of accused Ajit Mandal **aged about 45 years** as sought for by the I.O.

I.O. SI Sudhir Goswami of Baxirhat PS has appeared with case diary and has prayed for five days police custody of above named accused person in connection with this case which has been recommended and forwarded by his senior officer.

Having heard the submission and on perusal of the prayer of P.C. as well as case diary it appears that I.O. has prayed for five days P.C. which has not been forwarded and recommended by Superior Police officer. Accordingly prayer of I.O. as sought in respect of accused Ajit Mandal for police remand is rejected.

ORDER REGARDING INVENTORY

Now the record is taken up for consideration of prayer for permission for certification of inventory list of seized like to be Heroin.

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 Sudhir Goswami of Baxirhat 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, Tufanganj, 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.

NDPS Case No. 06 of 2025

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. ACJM, Tufanganj and Ld. Judicial Magistrate, Tufanganj for their information and necessary action.

Let another copy of this order be handed over to the I.O. SI Sudhir Goswami of Baxirhat PS for information and taken necessary action. |

To 17.01.2025 for production of accused Ajit Mandal from J.C. through video conference and I.O.'s report.

Dictated & Corrected by,

Sd/-

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

Sd/-

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(NDPS) Cooch Behar.