

Order No. 13

22.8.23.

Today is fixed for appearance and consideration of charge and necessary order in respect of prayer of I.O. for discharge of accused Ajay Barman in this case.

Accused persons Lalit Barman and Ajay Barman are present and file hazira today. Two separate petitions are filed today in respect of the two accused persons praying therein for extension of their interim bail which petitions are moved, considered and allowed. The interim bail of the accused persons are extended till the next date. Ld. Advocates of both sides are present. Before the case is taken up for consideration of charge, the record is taken up for issuance of order upon the discharge prayer of accused Ajay Barman made by the I.O.

On perusal of the materials in the CD, it is evident that the accused Aajy Barman was caught red handed with the contraband material when his motorcycle was intercepted by BSF personnel. The written complaint and seizure list prima facie show that the recovery of contraband was made from his possession. As such the prayer of the I.O. for discharge of this accused person is misconceived and accordingly dismissed as sufficient materials is found in the CD for facing of trial of this accused person.

Now the record is taken up for consideration of charge.

Heard both sides and found that the materials on record and the existing evidence suggest to frame the charge against the above named accused persons for the offence punishable u/s 21(c) of NDPS Act. The substance of accusation for the offence u/s 21(c) of NDPS Act is read over and explained to the accused persons separately to which they respectively pleaded not guilty by saying "আমি নির্দোষ" and claimed to be tried. Formal charge has been framed separately in detail on separate sheet.

The following evidence schedule is now drawn up for recording the evidence of witnesses in this case.

<u>Date</u>	<u>C.S.W.</u>
01.3.24	1
02.3.24	2, 3
04.3.24	4, 5
05.3.24	6, 7

Issue summons accordingly.

To 01.3.24 for appearance and evidence.

Dictated & Corrected by,

Sd/-

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

Sd/-

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Cooch Behar (NDPS) .