

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

NDPS Case No. 08/24

State

Vs

Rejjak Ali & Ors

u/s 20(b)(ii)(C)/25/29 of The NDPS Act

Present : Mr. Nayyar Azam Khan,  
Additional Sessions Judge, 1<sup>st</sup> Court,  
Cooch Behar (NDPS).

Order No. 01 dt. 05.02.24

Today some documents are received from Mathabhanga P.S. which include accused challan dt. 05.02.24, Written complaint dt. 04.02.24 in four pages duly forwarded by I.C. Mathabhanga P.S., formal FIR dt. 04.02.24, source information intimation and permission dt. 04.02.24, Magistrate deputation prayer dt. 04.02.24, four Arrest-Cum-Inspection Memos all dt 04.02.24, four notices u/s 50 of The NDPS Act, four notices u/s 100 Cr.P.C. all dt. 04.02.24, six photocopy labels, one seizure list in two pages dt. 04.02.24, videography requisition dt. 04.02.24, medical challan dt. 04.02.24, medical requisition dt. 05.02.24, photocopy of SDO Order dt. 04.02.24, Certificate u/s 65B of Indian Evidence Act dt. 04.02.24, one memory card in sealed envelope, four medical check-up documents all dt. 04.02.24, four medical check-up documents all dt. 05.02.24 and forwarding report in four pages dt 05.02.24. Let the case be registered as NDPS Case and the said documents be kept with the instant record.

Today four accused persons namely Rejjak Ali, Arshad Ali, Anichur Rahaman and Baijur Rahaman Rahaman, who have been arrested in this case are also forwarded before this court from the concerned P.S. who are now taken into custody. Two prayers of the I.O. are also received through Id P.P. In-charge with respect to authentication and retention of the seized alamats which are moved, considered and allowed. After authentication of the alamats, let the same be kept in the safe custody of concerned P.S Malkhana. One prayer is also received from the I.O. praying for police custody of all the accused persons for ten days which prayer is now allowed for seven days on detailed perusal of the materials in the CD emerging so far. I.O. is directed to follow the guidelines given in respect of keeping custody of accused persons.

I.O has made another prayer for inventory certification of the seized alamats before the Magistrate. The said prayer is also allowed. I.O is directed to produce the seized alamat before the **Ld. Judicial Magistrate, Mathabhanga** who has been designated for the purpose of certifying inventory as per provision of section 52A of NDPS Act.

Ld. Magistrate shall prepare one inventory in respect of seized alamat by verifying the

weight and other details of the seized alamat and thereafter shall certify the correctness of the inventory in respect of each of the packet of the alamat with their respective weight separately and shall also prepare coloured photograph of all the seized alamat separately and distinctly showing the signatures appearing on the label of each of the alamat and shall also certify the same which shall be considered as evidence for the purpose of trial. Ld. Magistrate shall also prepare sample and certify the same as per the provision of section 52A of NDPS Act and accordingly, submit his detailed report of inventory and certification to this court directly along with photographs of the seized materials. I.O is directed to produce the seized alamat before the Ld. Magistrate.

Let a copy of this order be sent to the Ld. Magistrate for his information and necessary action. Two separate bail petitions are also filed today on behalf of the respective accused persons along with their Vokatnama which is now taken up for hearing and order.

Ld Advocates while moving the respective bail petitions submitted that the respective accused persons are innocent and have been falsely implicated in this case. They prayed for grant of bail to the respective accused petitioners under any terms and conditions.

Ld Advocate for the State raised strong objection to the said bail prayer.

Heard both the sides. Perused the materials in the CD and the record. Considered.

It appears from the materials in the CD that there is a prima facie case of possession of commercial quantity of ganja without any justification which is a serious offence. The investigation is at a preliminary stage. Hence, the bail petitions is now considered and dismissed at this stage. The accused persons be handed over to the I.O. of this case for police remand.

To 12.02.24 for production and I.O.'s report.

Dictated & Corrected by

*Sd/-*

**Addl. Sess. Judge, 1<sup>st</sup> Court  
Cooch Behar (NDPS)**

*Sd/-*

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Cooch Behar (NDPS)**