

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

NDPS Case No. 17/23

State Vs Anjali Sarkar

u/s 20(b)(ii)B of NDPS Act

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

Order No.1 dt.16.3.23

One Written complaint in two pages dt. 15.3.23 is received from O.C. Sahebganj PS, Cooch Behar along with formal FIR bearing No. 88/23 dt. 16.3.23, seizure memo in two pages dt. 15.3.23. Medical documents of accused dt 15.3.23, Sec. 50 notice u/s NDPS act dt. 15.3.23, re-seizure list in two pages dt.15.3.23, three re-labels dt. 15.3.23, accused challan dt. 16.3.23, forwarding report dt. 16.3.23, Arrest-cum-Inspection Memo dt 15.3.23 and other documents. Let the same be kept in the record.and the instant case be registered as NDPS Case. The accused Anjali Sarkar is produced today. No PC prayer is found. Let the accused be remanded to J.C. today till the next date fixed in this case.

I.O has produced the seized alamat with prayers for its authentication and retention of the same in P.S Malkhana in safe custody. He has also filed separate prayer for sending the samples to the laboratory for chemical analysis.

Heard. Considered.

The prayers are allowed. After authentication of the alamat, let the same be kept in the safe custody of concerned P.S Malkhana.

I.O. has filed another prayer for inventory and certification of the seized alamat before the Magistrate which prayer is also considered and allowed.

I.O is directed to produce the seized alamat before the Ld. Judicial Magistrate, 2nd Court, Dinhata, Cooch Behar, who has been designated for the purpose of 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

NDPS Case No. 17/23

photograph of all the seized alamats separately and distinctly showing the signatures appearing on the label of each of the alamats 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.

Let a copy of this order be sent to the Ld. Magistrate for his information and necessary action.

I.O. is directed to produce the seized alamats before the Ld. Magistrate in consultation with the date provided by the Ld. Magistrate for that purpose.

Accused person has filed a bail petition along with her Vokalatnama today which bail petition is now taken up for hearing and order.

Ld. Advocate for the accused person submits that the accused person is innocent and has been falsely implicated in this case. He prayed for bail of the accused petitioner under any terms and conditions.

Ld. P.P. In-charge raises objection to the said prayer for bail.

Heard both the sides. Perused the petition and the record. Considered.

It appears from the materials in the C.D. that accused person is prima facie liable of having committed the offence u/s 20(b)(ii)(B) of the NDPS Act relating to possession of Ganja of intermediate quantity without any justification which is a non-bailable serious offence. The investigation of the case is at a preliminary stage. Hence, considering the above facts and circumstances and nature and gravity of the offence alleged to have been committed by the petitioner, I am not inclined to enlarge the accused person on bail at this stage. Hence, the prayer for bail is considered and rejected.

To **30.3.23** for production and I.O.'s report.

Dictated & Corrected by,

Sd/-

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

Sd/-

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Cooch Behar(NDPS).**

