

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

NDPS Case No. 46/2024

State

Vs

Majdul Mia @ Majidul Mia
u/s 21(c) of The NDPS Act

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

Order No. 01 dt. 30.7.24

Today some documents are received from Ghoksadanga P.S. which include accused challan dt. 30.7.24, Written complaint dt. 30.7.24 in three pages duly forwarded by O.C. Ghoksadanga P.S., formal FIR dt. 30.7.24, permission prayer dt. 29.7.24, Arrest-Cum-Inspection Memo dt 30.7.24, one seizure list dt. 30.7.24, notice, requisition, Medical check-up document dt. 30.7.24 and forwarding report dt 30.7.24. Let the case be registered as NDPS Case and the said documents be kept with the instant record.

Today one accused person namely Majdul Mia @ Majidul Mia, who has been arrested in this case is also forwarded before this court from the concerned P.S. who is now taken into custody. One prayer in two pages dt. 30.7.24 is also received from the I.O. praying for seven days police custody of the accused person which prayer is now allowed for six 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 person.

One prayer of the I.O. dt. 30.7.24 is also received through Id P.P. In-charge with respect to retention of the seized alat which is moved, considered and allowed. let the alat be kept in the safe custody of P.S. Malkhana

I.O has made another prayer for inventory certification of the seized alat before the Magistrate. The said prayer is also allowed. I.O is directed to produce the seized alat

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before the **Ld. Judicial Magistrate, Mathabhanga** who has been designated as the jurisdictional Magistrate for the purpose of inventory certification as per provision of section 52A of NDPS Act.

Ld. Magistrate shall verify the details of the inventory prepared by the concerned police officer with the seized alamats produced before him and shall certify the correctness of the said inventory. He shall also allow the drawing of representative samples in his presence and act as per the provisions of sec. 52A of The NDPS Act and thereafter furnish report to this court at the earliest. I.O is directed to produce the seized alamats before the Ld. Magistrate.

Let an extract of this order be sent to the Ld. Magistrate for his information and necessary action. One bail petition is also filed today on behalf of the accused person along with Vokatnama which is now taken up for hearing and order.

Ld Advocate while moving the said bail petition submitted that the accused person is innocent and has been falsely implicated in this case. He prayed for grant of bail to the accused petitioner 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 cough syrups without any justification which is a serious non-bailable offence. The investigation is at a preliminary stage. Hence, the bail petition is now considered and dismissed at this stage. Accused Majdul Mia @ Majidul Mia be handed over to the I.O. of this case for police remand upon receipt.

To 05.8.24 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)

