

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

NDPS Case No. 49/2024

State

Vs

Sanatan Barman

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. 03.8.24

Today some documents are received from Sitai P.S. which include Written complaint dt. 02.8.24 in two pages duly forwarded by I.C. Sitai P.S., formal FIR dt. 02.8.24, F.I.R. in four pages dt. 02.8.24, Arrest-Cum-Inspection Memo dt 02.8.24, seizure memo in three pages dt. 02.8.24, seizure list dt. 02.8.24, medical check-up documents dt. 03.8.24 and forwarding report in two pages dt 03.8.24. Let the case be registered as NDPS Case and the said documents be kept with the instant record.

Today one accused person namely Sanatan Barman 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 of the I.O. dt. 03.8.24 is also received with respect to retention of the seized Alamat which is moved, considered and allowed. let the alamat be kept in the safe custody of Sitai P.S. Malkhana

I.O has made another prayer for inventory certification of the seized alamat before the Magistrate. The said prayer is also allowed. I.O is directed to produce the seized alamat before the **Ld. Judicial Magistrate, 2nd Court, Dinhata** 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

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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 Phensedyl 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 be now remanded to J.C. till the next date fixed in this case. Issue Intermediate custody warrant at once. BC II to comply.

To 16.8.24 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)**