

ST Case No. 28(12)/2025
NDPS Case No. 77 of 2024
(Arising out of Pundibari PS Case No. 817/24 dated 05.10.2024)

Order No. 01

Dated 18.12.2025

Today is fixed for consideration of charge.

Accused Subhankar Mandal is produced from J.C. through V.C. and remanded to further J.C. till next date.

Another accused Bharat Barman on court bail is present by filing hazira.

Ld. PP in charge and the Ld. Lawyer of the accused persons are also present.

A bail petition is filed on behalf of accused Subhankar Mandal praying for bail on the ground as stated therein.

Now the bail petition is taken up for hearing.

Heard both sides.

It is submitted by the Ld. Advocate for the accused Subhankar Mandal that he has been falsely implicated in this case and he will not abscond if bail is granted to him. So, he may be granted bail in any terms and conditions.

Ld. PP in charge opposes the bail prayer of the accused considering the nature of the offence and investigation has been concluded and charge-sheet has been submitted against these accused persons.

Perused the materials on record and submission.

Having heard the submission of both sides and on perusal of the case record I find that this is a case u/s 20(b)(ii)(C)/25/29 of the NDPS Act as total 22.762 kg of Ganja has been allegedly recovered from the possession of the accused persons which is commercial quantity in nature for which no such benefit could have been extended to him in view of section 37 of NDPS Act in this regard and there are sufficient incriminating materials against the accused persons. Moreover the charge-sheet has been submitted in this case and therefore the bail prayer of the accused may not be allowed.

Under the above circumstances and considering the nature of offence, I am not inclined to enlarge accused on bail. Hence prayers for bail in respect of accused Subhankar Mandal stand rejected.

Now the case is taken up for consideration of charge.

Heard both sides.

Perused the case diary and other materials on record as well as submissions.

On perusal of the case diary and the materials on record I find that there are sufficient materials for the offence under section 20(b)(ii)(C)/25/29 of the NDPS Act against the accused persons namely Subhankar Mandal and Bharat Barman. Accordingly charge u/s 20(b)(ii)(C)/25/29 Act is framed against them. The substance of accusation for the aforesaid charge is read over and explained to the above accused persons to which they plead not guilty by saying "আমি নির্দোষ" individually and claim to be tried.

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Formal charge has been framed separately in detail on a separate sheet and kept with the record.

To 16.03.2026 for evidence of CSW No. 1

To 17.03.2026 for evidence of CSW No. 2

To 18.03.2026 for evidence of CSW No. 3

To 19.03.2026 for evidence of CSW No. 4

Issue summons accordingly.

Alamat be produced on the date fixed.

Prosecution to take steps.

Accused be as before.

The O.C. Pundibari PS is hereby directed to make necessary arrangement for appearance of materials witnesses mentioned above i.d. necessary order will be passed.

Let a copy of this order be sent to the O.C. Pundibari PS for strict compliance.

Dictated & Corrected by,

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

Addl. Sessions Judge, 1st Court,
(NDPS), Cooch Behar.
JO Code No. WB00654