

**In the Court of Addl. Sessions Judge, 1st Court, Jhargram & Special Court
under NDPS Act, Jhargram.**

Present :- Sri Plaban Mukherjee,
Addl. Sessions Judge, 1st Court, Jhargram & Special Court
under NDPS Act, Jhargram.

NDPS Case No. 08/2022

(Arising out of Jhargram P.S case no. 326/2022 dated- 29/10/2022, U/S- 21(C)/29 of NDPS Act.)

Order No.01.

Dated- 29/10/2022.

Accused, Subhasis Manna @ Lala, S/o- Habu Manna was brought under arrest and produced before this court. He is taken into custody.

Received the formal FIR and Written complaint lodged by P.S.I. Mihir Kr. Midya of Jhargram P.S., Forwarding report of accused Subhasis Manna @ Lala with a prayer of police custody, memo of arrest, Inspection memo, one seizure list dt. 28.10.2022, accused challan and a prayer for preparing an inventory of the seized contraband and one bail petition in connection with Jhargram P.S case no.326/2022, dated 29.10.2022, U/S- 21(C)/29 of NDPS Act.

Perused all the documents.

Registered the case under NDPS Act.

Ld. P.P.-in-Charge, Sri Prashant Kr. Ray is present.

I/O is present with C.D.

At this stage one bail petition is filed for the accused person. Ld. Advocate Sri Chandaneswar Sengupta entered his appearance representing the accused Subhasis Manna @ Lala by filing vokatnama.

At this stage the bail petition is taken up for hearing.

Ld. Advocate for the accused person submitted that the accused person has been falsely implicated in this case and he was in no way connected with this case. It is further submitted that no such application for bail is either pending or rejected before the Hon'ble High Court at Calcutta.

Ld. P.P. in Charge raised strong objection against the bail prayer.

Perused the C.D. and other documents lying the case record from which it transpires that search and seizure has already been done from the possession of the accused person indicating prima facie incriminating materials against him.

Considering the above facts and circumstances and early stage of investigation I am not inclined allow the bail prayer of the accused petitioner at this stage. Hence bail petition is rejected.

Now the application praying for police remand in respect of the accused person, namely, Subhasis Manna @ Lala for 10 days is taken up for hearing.

Perused the prayer of the I/O carefully.

Upon perusal of the prayer of the I/O, it appears that the said prayer is duly forwarded and recommended by Sub-Divisional Police Officer, Jhargram.

Perused the C.D along with F.I.R and the other materials on record.

Heard both sides. Ld. Defence Counsel representing the accused petitioner raised no objection against such prayer.

On perusal of CD it appears that there are sufficient tangible materials for granting such prayer of police remand in respect of the accused person, namely Subhasis Manna @ Lala. Not only that considering the nature and gravity of the offence, for proper interest of investigation and for proper

contd...

NDPS Case No. 08/2022

contd..
29.10.2022

administration of Justice, I am of the view that such prayer is required to be allowed for 05 days.

Accordingly, the prayer for police remand is hereby allowed for 05 days. Accused Subhasis Manna @ Lala is remanded to P/C till 03.11.2022.

Let the accused be produced before this Court on 03.11.2022 sharp at 10:30 a.m positively.

On query the accused submitted before this Court that he has no external wound on his person.

In this context, I would like to mention here that the concerned I.O should not inflict any physical and mental torture upon the accused person during such police remand. The I/O is further directed to follow the direction and guidelines as observed by the Honble Apex Court in letter and spirit.

I/O is directed to get the accused person medically examined on each 24 hours.

Inform accordingly. Let a copy of this order be sent to I/O of this case and also sent to Superintendent of Jhargram Correctional Home.

The Investigating Officer, S.I. Tarun Kr. Bej is present with the seized contraband.

Now the application praying for preparing inventory of the seized contraband is taken up for hearing. Let the application be treated as I/A.

Heard both sides. The prayer is considered and allowed.

Let a copy of this order be sent to the Ld. Judicial Magistrate, Jhargram for:

- a) certifying the correctness of the inventory;
- b) taking photographs of the substance in his presence and certifying such photographs as true;
- and
- c) allowing to draw representative samples of such substances, in his presence and certifying the correctness of any list of samples so drawn.

The Investigating Officer is directed to provide all necessary assistance to the Ld. Judicial Magistrate, Jhargram in this regard.

Let a copy of this order be sent to the Ld. Judicial Magistrate, Jhargram, for his kind information and immediate compliance.

Fix 03.11.2022 for production of the accused person, Subhasis Manna @ Lala.

Dict. & Corr. by me

(Plaban Mukherjee)
Additional Sessions Judge, 1st Court,
& Judge, Special Court (NDPS Act)
Jhargram

(Plaban Mukherjee)
Additional Sessions Judge, 1st Court,
& Judge, Special Court (NDPS Act)
Jhargram