

CHARGES WITH SEVEN HEADS

[No. XXVII (II), SCHEDULE V, ACT V, 1808]

Sections 221, 222, 223, Code of Criminal Procedure.

I, (i) **Shri Debarghya Biswas,**
Additional District & Sessions Judge, 3rd Court -cum-ADJ,
Special (NDPS) Court,
Balurghat, Dakshin Dinajpur.

hereby charge you (2)

as follows:-

Barek Mondal and Nayan Chouhan

Firstly--- That on 19.03.2025 in between 09.40 hrs to 12.05 hrs at under construction house of Barek Mandal at Vill-Ujal-I, under PS Hili, Dakshin Dinajpur Police personnel of Hili PS found that you both tried to smuggle of 48 bottles of phensedyl, 49 bottles of Wincerex Cough Syrup containing "Codeine and Chlorpheniramine" amounting to commercial quantity 673 Nos. of Buprenorphine Injection IP amounting to commercial quantity without any valid documents for the purpose of sell or transport and you have thereby committed an offence punishable **U/S.21(c) of the N.D.P.S. Act,** and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge.

Secondly--- That on 19.03.2025 in between 09.40 hrs to 12.05 hrs at under construction house of Barek Mandal at Vill-Ujal-I, under PS Hili, Dakshin Dinajpur Police personnel of Hili PS found that you both tried to smuggle of 48 bottles of phensedyl, 49 bottles of Wincerex Cough Syrup containing "Codeine and Chlorpheniramine" amounting to commercial quantity 673 Nos. of Buprenorphine Injection IP amounting to commercial quantity without any valid documents for the purpose of sell or transport and you have thereby committed an offence punishable **U/S.22(c) of the N.D.P.S. Act,** and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge.

Thirdly--- That on 19.03.2025 in between 09.40 hrs to 12.05 hrs at under construction house of Barek Mandal at Vill-Ujal-I, under PS Hili, Dakshin Dinajpur Police personnel of Hili PS found that you both tried to smuggle of 48 bottles of phensedyl, 49 bottles of Wincerex Cough Syrup containing "Codeine and Chlorpheniramine" amounting to commercial quantity 673 Nos. of Buprenorphine Injection IP amounting to commercial quantity without any valid documents for the purpose of transship, export or import and you have thereby committed an offence punishable **U/S.23(c) of the N.D.P.S. Act,** and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge.

Fourthly--- That on 19.03.2025 in between 09.40 hrs to 12.05 hrs at under construction house of Barek Mandal at Vill-Ujal-I, under PS Hili, Dakshin Dinajpur Police personnel of Hili PS found that you both tried to smuggle of 48 bottles of phensedyl, 49 bottles of Wincerex Cough Syrup containing "Codeine and Chlorpheniramine" amounting to commercial quantity 673 Nos. of Buprenorphine Injection IP amounting to commercial quantity without any valid documents and you have thereby committed an offence punishable **U/S.25 of the N.D.P.S. Act,** and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge.

Fifthly--- That on 19.03.2025 in between 09.40 hrs to 12.05 hrs at under construction house of Barek Mandal at Vill-Ujal-I, under PS Hili, Dakshin Dinajpur Police personnel of Hili PS found that you both tried to smuggle of 48 bottles of phensedyl, 49 bottles of Wincerex Cough Syrup containing "Codeine and Chlorpheniramine" amounting to commercial quantity 673 Nos. of Buprenorphine Injection IP amounting to commercial quantity without any valid documents for the purpose of transship, export or import and you have financed the said illicit traffic and you have thereby committed an offence punishable **U/S.27A of the N.D.P.S. Act,** and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge.

Sixthly--- That on 19.03.2025 in between 09.40 hrs to 12.05 hrs at under construction house of Barek Mandal at Vill-Ujal-I, under PS Hili, Dakshin Dinajpur Police personnel of Hili PS found that you both tried to smuggle of 48 bottles of phensedyl, 49 bottles of Wincerex Cough Syrup containing "Codeine and Chlorpheniramine" amounting to commercial quantity 673 Nos. of Buprenorphine Injection IP amounting to commercial quantity without any valid document thus you both have attempted to commit an offence punishable under the NDPS Act or to cause such offence to be committed and in such attempted did any an act, and you both have thereby committed an offence punishable **U/S.28 of the N.D.P.S. Act,** and within my cognizance.

And I hereby direct that you be tried by this Court on the said charge.

Seventhly--- That on 19.03.2025 in between 09.40 hrs to 12.05 hrs at under construction house of Barek Mandal at Vill-Ujal-I, under PS Hili, Dakshin Dinajpur, you both being a party to a ciminal conspiracy to commit an offence punishable underthe provision of NDPS Act and you both have thereby committed an offence punishable u/s. 29 of the NDPS Act and within my cognizance of this Court

And I hereby direct that you be tried by this Court on the said charge.

The contents of the charges are read over and explained to the accused persons in Bengali to which they pleads **not guilty** and claims to be tried.

Dated, the 21st day of May, 2026.

**Special Judge (under NDPS
ACT)-cum-ADJ, 3rd Court,
Balurghat,Dakshin
Dinajpur.**

In the Court of the Additional District & Sessions Judge, 3rd Court,
Dakshin Dinajpur at Balurghat
NDPS Case No.22 of 2025 (Computer Registration No.08/2026)
(Session Trial No. 40/2026) CNR No.WBDD01-000145-2025.
Present :- Shri Debarghya Biswas (J.O Code No.WB 00886).

Order No.22
21.05.2026

Accused persons namely Barek Mondal is produced from J.C. and remanded to J.C till next date.

Another accused Nayan Chouhan on Court bail is present by filing hazira.

Today is fixed for consideration of charge.

The learned P.P-in-charge and the learned advocate for the accused persons are present.

Record is taken up for framing of charge.

Heard both sides. Perused the materials on record and the case diary. Considered.

Considering C.D. and material on record, it appears that a prima facie charge under Sections **21(c)/22(c)/23(c)/25/27A/28/29 of N.D.P.S** Act is made out against accused persons namely Barek Mondal and Nayan Chouhan.

The contents of charge, is read over and explained to the accused person to which he pleaded **not guilty** and claimed to be tried.

Formal charge is written in separate sheet and kept in the record.

Heard both sides in order to ascertain if they wish to carry out admission of any document under Section 294 of the Cr.P.C. The accused refused to carry out any such admission.

Fix 07.08.2026 for evidence of CSW No.1 and 9.

10.08.2026 for evidence of CSW No. 2 and 10

11.08.2026 for evidence of CSW No. 3 and 11

12.08.2026 for evidence of CSW No. 4 and 12.

Issue Summons accordingly.

Dictated & corrected by me

**Special Judge (under NDPS
ACT)-cum-ADJ, 3rd Court,
Balurghat,Dakshin
Dinajpur.**

**Special Judge (under NDPS
ACT)-cum-ADJ, 3rd Court,
Balurghat,Dakshin
Dinajpur.**