

NDPS Case No. 52 of 2025 , PTN No. WBDD01P000473/2025

Present: Shri Anil Kumar Kushwaha, in-charge of Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat. (JO Code : WB00945)

Order No. 21

26.02.2026

Record is put-up on behalf of the accused Neoti Chowdhury Mahanta @ Neoti, Shyamali Das Barman and Ashim Ghosh.

Ld. PP is present.

A bail petition with vokatnama is filed on behalf of the accused persons namely Neoti Chowdhury Mahanta @ Neoti, Shyamali Das Barman and Ashim Ghosh. Copy served. The said petition is taken up for hearing.

Ld. Adv for the accused person prays for bail on the ground of non-absconsion as the accused being local resident. The prayer is opposed by the Ld. P.P as the investigation of the case has been completed and charge sheet has been submitted.

Heard both sides and considering the materials on record including the quantity of seizure of contrabands, the prayer for bail of accused Neoti Chowdhury Mahanta @ Neoti, Shyamali Das Barman and Ashim Ghosh are hereby **rejected**.

Todate (16.03.2026).

Dict & Corr by

Special Judge,NDPS Act

Special Judge,NDPS Act

Later ORDER NO. 20

22.01.2026

Case record is put up on receipt of charge sheet.

Received Charge Sheet from the I.O. of the case which be tagged with the case record. The details of Charge Sheet is - Charge Sheet No. 1/2026 dated 21.01.2026 Under Section 21(c)/22(c)/23(c)/28/29 of the NDPS Act,1985 against the accused persons namely:

1. Neoti @ Niyati Chowdhury Mahanta
2. Shyamali Das Barman
3. Habibur Rahaman @ Habu
4. Murshid Miah @ Murshid Mondal
5. Ashim Ghosh

Charge Sheet seen and accepted. Let it be kept with the record.

Prima facie case u/s. 21(c)/22(c)/23(c)/27A of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 21(c)/22(c)/23(c)/27A of the NDPS Act,1985.

On perusal of the case record, it is seen that out of 05 accused persons charge sheeted, two (02) accused persons namely Neoti @ Niyati Chowdhury Mahanta and **2. Shyamali Das Barman** forwarded is in **custody** and two (02) accused persons namely **Mukul Ali Mondal and Motaleb Mandal** is on court bail, I.O. of the case has prayed for issuance of warrant against the remaining 03 (three) **absconder accused persons** namely **Samsuddin Fakir, Salam Mandal and Sariful Pramanik**.

Hence, issue warrant of arrest against these three absconder accused persons namely Samsuddin Fakir, Salam Mandal and Sariful Pramanik.

BC II to comply.

It is also found from the charge-sheet that during investigation no evidence could be collected against accused Taimur, Sahin, Sanarul and Raju Mondal and accordingly they are not sent up in charge-sheet.

To date **02.01.2023** for appearance(2), production(1) from J/C and ER of WA(3).
Dic & Corr 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.

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Present: Shri Debarghya Biswas, Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat. (JO Code : WB00886)

Later order No. 18

05.01.2026

Accused person namely Ashim Ghosh is brought under arrest from Gangarampur P.S along with forwarding report, memo of arrest, information to arrest, Inspection memo duly endorsed by Medical Officer, Gangarampur SD Hospital and accused challan. Let the documents be kept with the case record.

A bail petition along with Vokatnama is filed for accused person upon serving copy.

Ld. Advocate prays for bail of the accused on the grounds of non-absconion which is opposed by the Ld. P.P. as the case at investigation stage.

Upon consideration of the submission of both sides and considering the mandatory bar under the provision of NDPS Act, the prayer for bail of accused Ashim Ghosh is hereby rejected.

CD is produced. I.O is present. Heard I.O.

Perused the CD and the forwarding report produced today by the police wherein the police has prayed for Police Custody for the accused Ashim Ghosh for 14 days by SI Sanjib Bhadra of Gangarampur P.S duly forwarded & recommended by superior authorities on the grounds stated therein and seen by Ld.P.P.

Considering the materials available in the CD, as per leading statement of PC accused persons accused Ashim Ghosh received the narcoitic contraband articles from them fro the purpose of smuggling, to recover more contraband narcotic substance which he kept concealed, to arrest the rest accused who are also involved in this case, to reveal how the gang worked, from the where the article had ben collected, where the article had been supplied, for prolong interrogation of accused person and to unearth the truth the prayer of police custody of the accused person namely Ashim Ghosh is hereby allowed for five (05) days.

I.O. is directed to ensure that utmost care and caution be taken so that the accused person is not manhandled in any manner whatsoever and to provide him with all possible medical assistance if needed, during the period of police remand. The accused person must be taken for medical check up on each day during police remand.

I.O. is further directed to observe strictly the guidelines set out by the Hon'ble Apex Court of India in this behalf regarding police custody in D. K. Basu Vs State of West Bengal (1997) 1 SCC 416.

Accused person namely Ashim Ghosh is hereby remanded to **Police Custody till 09.01.2026.**

To **09.01.2026** for production of the accused person namely Ashim Ghosh

from Police Custody with P.C Report along with CD and report in final form.

Let a copy of this order be handed over to I.O. SI Sanjib Bhadra of Gangarampur P.S.

Dict & Corr by

Sd/-

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

Sd/-

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