

CHARGES WITH SEVEN HEADS

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

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

**I, (i) Shri s. Poddar In-charge of
Additional District & Sessions Judge, 3rd Court -cum-ADJ,
Special (NDPS) Court,
Balurghat, Dakshin Dinajpur.**

hereby charge you ⁽²⁾

as follows:-

**Firajuddin Molla @ Khirajuddin Mulla and
Mahabur Mandal**

Firstly---- That on 27.08.2025 at about 19.30 hrs at village Dangarhat sundarpur Road, near BP No. 308/6-R, under PS Kumarganj, Dakshin Dinajpur BSF personnel of BOP Rasulpur apprehended Firajuddin Molla @ Khirajuddin Mulla and found that tried to smuggle 100 nos. of Phensegrip bottles contain "Codeine and chlorpheniramine" amounting to commercial quantity with the help of Mahabur Mandal 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 27.08.2025 at about 19.30 hrs at village Dangarhat sundarpur Road, near BP No. 308/6-R, under PS Kumarganj, Dakshin Dinajpur BSF personnel of BOP Rasulpur apprehended Firajuddin Molla @ Khirajuddin Mulla and found that tried to smuggle 100 nos. of Phensegrip bottles contain "Codeine and chlorpheniramine" amounting to commercial quantity with the help of Mahabur Mandal 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 27.08.2025 at about 19.30 hrs at village Dangarhat sundarpur Road, near BP No. 308/6-R, under PS Kumarganj, Dakshin Dinajpur BSF personnel of BOP Rasulpur apprehended Firajuddin Molla @ Khirajuddin Mulla and found that tried to smuggle 100 nos. of Phensegrip bottles contain "Codeine and chlorpheniramine" amounting to commercial quantity with the help of Mahabur Mandal 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 27.08.2025 at about 19.30 hrs at village Dangarhat sundarpur Road, near BP No. 308/6-R, under PS Kumarganj, Dakshin Dinajpur BSF personnel of BOP Rasulpur apprehended Firajuddin Molla @ Khirajuddin Mulla and found that you both used Hero Glamour Motorcycle (i3s) having Reg. No. WB62N-1178 with a view to smuggle 100 nos. of Phensegrip bottles contain "Codeine and chlorpheniramine" amounting to commercial quantity with the help of Mahabur Mandal 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 27.08.2025 at about 19.30 hrs at village Dangarhat sundarpur Road, near BP No. 308/6-R, under PS Kumarganj, Dakshin Dinajpur BSF personnel of BOP Rasulpur apprehended Firajuddin Molla @ Khirajuddin Mulla and found that tried to smuggle 100 nos. of Phensegrip bottles contain "Codeine and chlorpheniramine" amounting to commercial quantity with the help of Mahabur Mandal 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 27.08.2025 at about 19.30 hrs at village Dangarhat sundarpur Road, near BP No. 308/6-R, under PS Kumarganj, Dakshin Dinajpur BSF personnel of BOP Rasulpur apprehended Firajuddin Molla @ Khirajuddin Mulla and found that tried to smuggle 100 nos. of Phensegrip bottles contain "Codeine and chlorpheniramine" amounting to commercial quantity with the help of Mahabur Mandal thus you 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 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 27.08.2025 at about 19.30 hrs at village Dangarhat sundarpur Road, near BP No. 308/6-R, under PS Kumarganj, Dakshin Dinajpur , you both being a party to a criminal conspiracy to commit an offence punishable under the provision of NDPS Act and you both have thereby committed an offence punishable u/s. 29 of 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 he pleads **not guilty** and claims to be tried.

Dated, the 14th 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.60 of 2025 (Computer Registration No.17/2026)
(Session Trial No. 39/2026) CNR No.WBDD01-000321-2026.
Present :- Smt. S. Poddar (J.O Code No.WB 00855).

Order No.01
14.05.2026

Accused person namely Mahabur Mandal is produced from J.C and remanded to J.C till next date.

Another accused Farajuddin Molla @ Khirajuddin Mulla on Court bail is present by filing hazira.

A bail petition is also filed on behalf of the accused Mahabur Mandal.

Today is fixed for consideration of charge.

The learned P.P-in-charge and the learned advocate for the accused person 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)/27A/28/29 of N.D.P.S is made out against accused persons namely Farajuddin Molla @ Khirajuddin Mulla and Mahabur Mandal.

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.

The petition is taken up vide order dated 09.04.2026 of accused Mahabur Mandal stating that as per order of the Hon'ble High Court vide CRM (NDPS) no. 566 of 2026 dated 09.04.2026, this Court is directed to release the accused person namely Mahabur Mandal on bail after the stage of consideration of charge is over on such terms and condition as it deems fit and proper for ensuring the presence of the accused.

Perused the case record.

Considered.

After perusal of the case record it appears that the charge has already been framed in this case on 16.12.2025 against accused Farajuddin Molla @ Khirajuddin Mulla and Mahabur Mandal.

Therefore, as per order of Hon'ble High Court in CRM (NDPS) no. 566 of 2026 dated 09.04.2026 the accused person namely Mahabur Molla may find bail of Rs. 10,000/- with two sureties of Rs. 5,000/- each i.d. to J/C, subject to the satisfaction of Ld. Chief Judicial Magistrate, Balurghat, Dakshin Dinajpur I.d. to J.C.

Fix 08.09.2026 for evidence of CSW No. 1 and 6.

09.09.2026 for evidence of CSW No. 2 and 7.

10.09.2026 for evidence of CSW No. 3 and 8.

11.09.2026 for evidence of CSW No. 4 and 9.

Issue Summons accordingly.

Let a copy of this order be send to Ld. CJM for information and necessary action.

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.**