

CHARGES WITH SIX HEADS

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

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

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

hereby charge you ⁽²⁾

as follows:-

Jahangir Alam and Abdur Rahaman

Firstly--- That on 28.03.2025 in between 20.50 hrs to 21.55 hrs near Kumarganj Bus Stand in front of Kanchan Engineering work shop, under PS Kumarganj, Dakshin Dinajpur Police personnel of Kumarganj PS apprehended you both and found that you both tried to smuggle 149 nos. phensegrill bottles containing "Codeine and Chlorpheniramine" amounting to commercial quantity without any valid documents for the purpose of sell or transport and you both 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 28.03.2025 in between 20.50 hrs to 21.55 hrs near Kumarganj Bus Stand in front of Kanchan Engineering work shop, under PS Kumarganj, Dakshin Dinajpur Police personnel of Kumarganj PS apprehended you both and found that you both tried to smuggle 149 nos. phensegrill bottles containing "Codeine and Chlorpheniramine" amounting to commercial quantity without any valid documents for the purpose of sell or transport and you both 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 28.03.2025 in between 20.50 hrs to 21.55 hrs near Kumarganj Bus Stand in front of Kanchan Engineering work shop, under PS Kumarganj, Dakshin Dinajpur Police personnel of Kumarganj PS apprehended you both and found that you both tried to smuggle 149 nos. phensegrill bottles containing "Codeine and Chlorpheniramine" amounting to commercial quantity without any valid documents for the purpose of transship, export or import and you both 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 28.03.2025 in between 20.50 hrs to 21.55 hrs near Kumarganj Bus Stand in front of Kanchan Engineering work shop, under PS Kumarganj, Dakshin Dinajpur Police personnel of Kumarganj PS apprehended you both and found that you both used motor cycles having Reg. No. WB62N/4973 with a view to smuggle of 149 nos. of Phensegrill bottles containing "Codeine and chlorpheniramine" amounting to commercial quantity without any valid documents and you both have thereby committed an offence punishable **U/S.23(c) of the N.D.P.S. Act** and within the cognizance of this Court.

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

Fifthly--- That on 28.03.2025 in between 20.50 hrs to 21.55 hrs near Kumarganj Bus Stand in front of Kanchan Engineering work shop, under PS Kumarganj, Dakshin Dinajpur Police personnel of Kumarganj PS apprehended you both and found that you both tried to smuggle 149 nos. phensegrill bottles containing "Codeine and Chlorpheniramine" 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 all 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 28.03.2025 in between 20.50 hrs to 21.55 hrs near Kumarganj Bus Stand in front of Kanchan Engineering work shop, under PS Kumarganj, Dakshin Dinajpur Police personnel of Kumarganj PS apprehended you both and found that you both tried to smuggle 149 nos. phensegrill bottles containing “Codeine and Chlorpheniramine” amounting to commercial quantity thus you 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 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 28.03.2025 in between 20.50 hrs to 21.55 hrs near Kumarganj Bus Stand in front of Kanchan Engineering work shop, under PS Kumarganj, Dakshin Dinajpur being a party to a criminal conspiracy to coomit an offence punishable under the provision of NDPS Act and you all have thereb y committed an offence punishable under section **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 person in Bengali to which he pleads **not guilty** and claims to be tried.

Dated, the 16th day of July, 2025.

**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.26 of 2025 (Computer Registration No.07/2025)
(Session Trial No. 51/2025) CNR No.WBDD01-000174-2025.
Present :- Manoj Kumar Prasad (J.O Code No.WB 00779).

Order No.01
16.07.2025

Accused persons namely Jahangir Alam and Abdur Rahaman are produced from J.C and remanded to J.C till next date.

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** Act is made out against accused persons namely **Jahangir Alam and Abdur Rahaman.**

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 11.09.2025 for evidence of CSW No.1 & 2.

12.09.2025 for evidence of CSW No.3 & 4.

15.09.2025 for evidence of CSW No. 5 & 6.

17.09.2025 for evidence of CSW No. 7 & 8.

19.09.2025 for evidence of CSW No. 9 & 10.

20.09.2025 for evidence of CSW No. 11 & 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.**