

**In the Court of Special Judge (under NDPS ACT)-cum-Additional District &
Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat.
NDPS Case No. 57 of 2023 (CIS No. 57/23)**

CNR Number : WBDD01-001969-2023

**Present: Shri. Manoj Kumar Prasad, Special Judge (under NDPS ACT)-cum-Additional
District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat. (JO Code :
WB00779)**

Order No. 20

22-03-2024

Today is fixed for production of the accused person from J/C and report in final form.

Accused **persons namely Latafat Hossain Mondal and Soyel Mondal** are produced from J/C by the mode of V.C.

Ld. P.P files hazira.

A bail application is filed for the accused person praying for bail on the ground of non-absconsion as the accused being local resident.

Strong objection is raised by Ld. PP.

Heard both sides and considering the materials on record including the quantity of seizure of contraband, the prayer for bail of accused **person Soyel Mondal** is hereby rejected.

IO has prayed for extension of time for completing the investigation, forwarded by I.C., Hili PS.

Ld. P.P. submitted a report on the basis of the such prayer of the IO.

Heard Ld. P.P. in-charge and Ld. Lawyer for the accused person. Perused the CD.

It is submitted that in this case large quantity of contraband was recovered and sample has already been dispatched for expert opinion but no report yet received. It is further submitted that nexus in between co-accused persons yet to be establish due to non-arrest as custodial interrogation is very much required for the sake of investigation, actual address of the accused person yet to be verified, it is suspected that the accused person is impersonating and concealing his actual identity.

Ld. Lawyer for the prosecution prays for extent the time of detention of the accused persons by further exceeding the period of investigation considering the progress of the investigation.

Considering the CD and material on record, it appears that letter is sent to the FSL authority for report of the contraband. It further appears that on the same date both the FIR named accused persons were arrested on 26.07.2023. There is nothing in the CD that any other person involved in this case or police conducted raid in search of any other person. It appears from the record that twice the period of investigation was extended i.e. on 18.01.2024 and 19.02.2024 for one month each. The ground for which extension of the period of investigation is prayed for is not appears to me sufficient. There was no impediment to custodial interrogation of the accused person. So only for the reason to collect the FSL report of the contraband is not appears to me sufficient to extend further period of investigation. Hence the prayer of the prosecution is **rejected**.

To 05.04.2024 for Production and report in final form.

Dict & Corr by

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

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