

NDPS Case No. 43 of 2024 (CIS NO-43/2024)

CNR Number : WBDD01-002330-2024

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. 18

29.03.2025

Today is fixed for submit of final report.

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. 66/25 dated 28.03.2025 Under Section 21(c)/22(c)/23(c)/27A/28/29 of the NDPS Act,1985 against the accused persons namely:

1. Ripan Mondal
2. Jakir Mondal
3. Sydul Mondal
4. CCL Suman Fakir (Split up on 30.11.2024)

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

Prima facie case u/s. 21(c)/22(c)/23(c)/27A/28/29 of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 21(c)/22(c)/23(c)/27A/28/29 of the NDPS Act,1985.

On perusal of the case record, it is seen that out of 04 accused persons charge sheeted, one (01) accused person namely **Ripan Mondal** is in **custody** and rest two (02) accused persons namely **Jakir Mondal and Sydul Mondal absconder and other accused namely Suman Fakir is CCL.**

Hence, issue warrant of arrest against these two absconder accused persons namely Jakir Mondal and Sydul Mondal.

BC II to comply.

Ld. PP is present.

A bail application along with vokalatnama is filed for the accused persons namely Ripan Mondal praying for bail on the ground of non-absconsion as the accused being local resident which is opposed by the Ld. P.P as the investigation is lying at its initial stage.

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

To 07.04.2025 for production of the accused persons(1) from J/C. ER of WA(2).

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.**

**In the Court of Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge 3rd
Court, Dakshin Dinajpur at Balurghat.
Special Case No. 51 of 2022 (CIS NO-95/2022)
CNR Number : WBDD01-001466-2022**

**Present: Shri. Ajayendra Nath Bhattacharya, Special Judge (under NDPS ACT)-cum-Additional
District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat. (JO Code : WB00819)**

ORDER NO. 15

02.01.2023

Case record is put up on receipt of charge sheet.

Received skeleton record with 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. 832/22 dated 20.12.2022 Under Section 21(c)/22(c)/23(c)/27A/28/29 of the NDPS Act,1985 against the accused person namely:

1. Sumanta Barman

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

Prima facie case u/s. 21(c)/22(c)/23(c)/27A/28/29 of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 21(c)/22(c)/23(c)/27A/28/29 of the NDPS Act,1985.

On perusal of the case record, it is seen that the sole accused person namely **Sumanta Barman** is in **custody**.

It is also found from the charge-sheet that during investigation no evidence could be collected against accused Ashim Barman, Asit Das, Himanshu Mahato and Prosenjit Barman and accordingly they are not sent up in charge-sheet.

Accused Ashim Barman be accordingly discharge from this case and he is discharged from his bail bond and set to liberty at once.

To date **07.01.2023** for production(1) from J/C and supply of copy.

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.

SPECIAL CASE NO. 46 OF 2021 (CIS NO. 71 OF 2021)

ORDER NO. 09

24.09.2021

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. 494/2021 dated 13.09.2021 Under Section 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 against the accused persons namely:

1. Gopal Mohanta @ Khulu

2. Rabi Pramanik

3. Kajal Sarkar

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

Prima facie case u/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985.

On perusal of the case record, it is seen that all the 03 accused persons are in custody and I.O. of the case has prayed for leave to file supplementary charge sheet on receipt of CFSL Report.

To date **27.09.2021** for production.

Dic & Corr by me.

Special Judge, NDPS Act.

Special Judge, NDPS Act.

SPECIAL CASE NO. 25 OF 2020 (CIS NO. 64 OF 2020)

ORDER NO. 17

21.04.2021

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. 47/2021 dated 13.04.2021 Under Section 21(C)/22(C)/23(C) of the NDPS Act,1985 against the accused person namely:

1. Gour Mahato

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

Prima facie case u/s. 21(C)/22(C)/23(C) of the NDPS Act,1985 is apparant and Cognizance is taken for commision of offence U/s. 21(C)/22(C)/23(C) of the NDPS Act,1985.

On perusal of the case record, it is seen that the accused person is on bail and I.O. of the case has prayed for leave to file supplementary charge sheet on receipt of CFSL Report.

To date **07.07.2021** for appearance.

Dic & Corr by me.

SPECIAL CASE NO. 82 OF 2020 (CIS NO. 161 OF 2020)

ORDER NO. 16

05.05.2021

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. 144/2021 dated 04.05.2021 Under Section 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 against the accused persons namely:

1. Dulal Hansda
2. Bijay Hansda
3. Shankar Baengla
4. Mukul Barman
5. Ranjeet Shing
6. Habul Mandal @ Habibui Mandal

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

Prima facie case u/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 is apparant and Cognizance is taken for commision of offence U/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985.

On perusal of the case record, it is seen that out of 5 accused persons charge sheeted, one(01) accused person namely Dulal Hansda is in custody and two(02) accused persons namely Mukul Barman and Habul Mandal @ Habibul Mandal is on court bail, I.O. of the case has prayed for leave to file supplementary charge sheet on receipt of CFSL Report and also prayed for issuance of warrant against the remaining 03 (Three) other absconder accused

persons.

Hence, issue warrant of arrest against these three absconder accused persons.(Sl. No. 2,3&5)

To date, (25.05.2021) for production from J/C and ER of WA.

Dic & Corr by me.

SPECIAL CASE NO. 4 OF 2020 (CIS NO. 6 OF 2020)

ORDER NO. 06

19.05.2021

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. 152/2021 dated 14.05.2021 Under Section 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 against the accused person namely:

1. Abshik Laha

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

Prima facie case u/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985.

On perusal of the case record, it is seen that the I.O. of the case has prayed for leave to file supplementary charge sheet on receipt of CFSL Report and also prayed for issuance of warrant against the accused person who is absconder.

Hence, issue warrant of arrest against this absconder accused person.

To date **13.09.21** for ER of WA.

Dic & Corr by me.

Special Judge, NDPS Act.

Special Judge, NDPS Act.

SPECIAL CASE NO. 04 OF 2021 (CIS NO. 05 OF 2021)

ORDER NO. 11

24.05.2021

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. 196/2021 dated 17.05.2021 Under Section 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 against the accused persons namely:

1. Kalyan Roy
2. Gopal @ Godai Mahanta

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

Prima facie case u/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985.

On perusal of the case record, it is seen that all the accused persons are arrested and I.O. of the case has prayed for leave to file supplementary charge sheet on receipt of CFSL Report.

To date **25.05.2021** for production.

Dic & Corr by me.

Special Judge, NDPS Act.

Special Judge, NDPS Act.

SPECIAL CASE NO. 15 OF 2020 (CIS NO. 40 OF 2020)

ORDER NO. 05

25.05.2021

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. 201/2021 dated 18.05.2021 Under Section 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 against the accused person namely:

1. Bikash Barman @ Chutka

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

Prima facie case u/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985.

On perusal of the case record, it is seen that all the accused person is not arrested and I.O. of the case has prayed for leave to file supplementary charge sheet on receipt of CFSL Report and also prayed for issuance of warrant against the absconder accused person.

Hence, issue warrant of arrest against this absconder accused person.

To date **26.05.2021** for E/R of W/A

Dic & Corr by me.

Special Judge, NDPS Act.

Special Judge, NDPS Act.

SPECIAL CASE NO. 45 OF 2020 (CIS NO. 92 OF 2020)

ORDER NO. 21

31.05.2021

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. 71/2021 dated 27.05.2021 Under Section 411/414 of the IPC & R/W Section 20(b)(ii)(C) of the NDPS Act,1985 against the accused persons namely:

1. Manoj Singh
2. Gopal Sarkar
3. Mithun Sarkar
4. Suman Das
5. Nazir Mondal

6. Noor Alam Mondal

7. Bappi Sarkar

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

Prima facie case u/s. 411/414 of the IPC & R/W Section 20(b)(ii)(C) of the NDPS Act,1985 is apparant and Cognizance is taken for commision of offence U/s. 411/414 of the IPC & R/W Section 20(b)(ii)(C) of the NDPS Act,1985.

On perusal of the case record, it is seen that out of 07 accused persons charge sheeted, 02 accused persons are in custody and I.O. of the case has prayed for issuance of warrant against the remaining 05 (Five) other absconder accused persons.

Hence, issue warrant of arrest against these five absconder accused persons.

To date **20.11.2021** for production from J/C and ER of WA.

Dic & Corr by me.

Special Judge, NDPS Act.

Special Judge, NDPS Act.

Death of sole accused

SPECIAL CASE NO. 19 OF 2020 (CIS NO. 47 OF 2020)

ORDER NO. 16

08.06.2021

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. 245/2021 dated 26.05.2021 Under Section 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 against the accused person namely Alok Barman.

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

Prima facie case u/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985.

On perusal of the case record, it is seen that the accused Alok Barman

has expired.

Let the charge sheet be kept with the record.

To date **30.09.2021** for further order regarding the date of the sole accused.

Dic & Corr by me.

Special Judge, NDPS Act.

Special Judge, NDPS Act.

SPECIAL CASE NO. 84 OF 2020 (CIS NO. 162 OF 2020)

ORDER NO. 23

16.08.2021

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. 95/2021 dated 30.06.2021 Under Section 21(C)/22(C)/23(C)/27A/20(b)(ii)(C) of the NDPS Act,1985 against the accused persons namely:

1. Yunus Ali Mondal
2. Moula Mondal
3. Khairul Mondal
4. Aminul @ Aminur Islam
5. Smil @ Ismail Mondal
6. Hasanur Mondal
7. Ainul Mondal
8. Rana Das @ Sarkar
9. Mintu Barman @ Mondal

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

Prima facie case u/s. 21(C)/22(C)/23(C)/27A/20(b)(ii)(C) of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 21(C)/22(C)/23(C)/27A/20(b)(ii)(C) of the NDPS Act,1985.

On perusal of the case record, it is seen that out of 09 accused persons charge sheeted, four (04) accused persons namely Yunus Ali Mondal, Moula Mondal, Aminul @ Aminur Islam and Hasanur Mondal is on court bail and I/O prayed for issuance of warrant against the remaining 05 (Five) other absconder accused persons namely Khairul Mondal, Smil @ Ismail Mondal, Ainul Mondal, Rana Das @ Sarkar and Mintu Barman @ Mondal.

Hence, issue warrant of arrest against these five absconder accused persons namely Khairul Mondal, Smil @ Ismail Mondal, Ainul Mondal, Rana Das @ Sarkar and Mintu Barman @ Mondal.

To date (15.09.2021) for appearance and ER of WA.

Dict. & Corr by me.

**In the Court of Special Judge (under NDPS ACT)-cum-Additional District &
Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat.**

Special Case No. 74 of 2021 (CIS NO- 106/2021)

CNR Number : WBDD01-001522-2021

**Present: Shri. Ajayendra Nath Bhattacharya, Special Judge (under NDPS ACT)-
cum-Additional District & Sessions Judge 3rd Court, Dakshin Dinajpur at
Balurghat. (JO Code : WB00819)**

Order No. 07

08-11-2021

Received a skeleton record from Ld. CJM, Dakshin Dinajpur along with charge-sheet as filed on 30.10.2021.

The details of Charge Sheet is - Charge Sheet No. 217/2021 dated 28.10.2021 Under Section 20(b)(ii)(c) of the NDPS Act,1985 against the accused persons namely:

1. Alok Das

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

Prima facie case u/s. 20(b)(ii)(c) of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 20(b)(ii)(c) NDPS Act,1985.

On perusal of the case record, it is seen that all the accused person is in custody.

To date **16.11.2021** for production and supply of copy.

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.

SPECIAL CASE NO. 11 OF 2021 (CIS NO. 15 OF 2021)

ORDER NO. 15

08.11.2021

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. 190/2021 dated 07.10.2021 Under Section 411/414/186/188/353/34 of the IPC R/W Sec. 21(C)/22(C)/23(C)/27A/20(b)(ii)(C) of the NDPS Act,1985 against the accused persons namely:

1. Abdul Mondal, 2. Kuddus Mondal, 3. Ananta Das @ Anantra, 4. Bullet Ghosh @ Samar, 5. Mithun Mondal, 6. Amal Barman, 7. Sajal Sarkar, 8. Kartick Sarkar,
9. Bivash Sarkar @ Navo, 10. Mithun Barman and 11. Rana Das @ Rana Sarkar.

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

Prima facie case u/s. 411/414/186/188/353/34 of the IPC R/W Sec. 21(C)/22(C)/23(C)/27A/20(b)(ii)(C) of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 411/414/186/188/353/34 of the IPC R/W Sec. 21(C)/22(C)/23(C)/27A/20(b)(ii)(C) of the NDPS Act,1985.

On perusal of the case record, it is seen that out of 11 accused persons charge sheeted, two (02) accused persons namely Kuddus Mondal and Ananta Das @ Anantra are in custody. CCL Abdul Mondal as mentioned in Sl. No. 1 has already been sent to the Juvenile Justice Board, Dakshin Dinajpur at Balurghat vide order dated 10.02.21 as passed in this case. I/O prayed for issuance of warrant against the accused namely Bullet Ghosh @ Samar, Mithun Mondal, Amal Barman, Sajal Sarkar, Kartick Sarkar, Mithun Barman and Rana Das @ Rana Sarkar.

Hence, issue warrant of arrest against these five absconder accused persons namely Bullet Ghosh @ Samar, Mithun Mondal, Amal Barman, Sajal Sarkar, Kartick Sarkar, Mithun Barman and Rana Das @ Rana Sarkar.

Issue summons against accused Bivash Sarkar @ Navo.

Let a copy of this order along with one copy of charge-sheet be forwarded to the Juvenile Justice Board, Dakshin Dinajpur at Balurghat.

To date (10.11.2021) for production and ER of WA and SR of accused Bivash Sarkar @ Navo.
Dict. & Corr by me.

Sd/-

Sd/-

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

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

**In the Court of Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge
3rd Court, Dakshin Dinajpur at Balurghat.**

Special Case No. 93 of 2021 (CIS No. 140 of 2021)

CNR Number : WBDD01-002107-2021

Present: Shri. Ajayendra Nath Bhattacharya, Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat (JO Code : WB00819).

ORDER NO. 10

14.02.2022

Today is fixed for production of the accused and report in final form.

Received one CFSL Report bearing Report No. SDCRL/117 dtd. 02.02.2022 from Kushmandi PS.

Let it be kept with this record.

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. 49/2022 dated 10.02.2022 Under Section 21(c)/22(c)/23(c) of the NDPS Act,1985 against the accused persons namely:

1. Farhat Ali Sarkar
2. Maksudur Rahaman @ Makechedur
3. Bilal Hussain @ Bellal Mondal

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

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

On perusal of the case record, it is seen that out of 03 accused persons charge sheeted, one(01) accused person namely Farhat Ali Sarkar is in custody and one (01) accused person namely Maksudur Rahaman @ Makechedur is on court bail and IO prays for issuance of warrant against the remaining one (01) **absconder** accused person namely **Bilal Hussain @ Bellal Mondal**.

Hence, issue warrant of arrest against this absconder accused person namely Bilal Hussain @ Bellal Mondal.

Received a prayer from Kumarganj PS whereby IC Kumarganj PS has prayed for disposal of seized NDPS substance. It appears to me that this case is still pending. In such situation the prayer for disposal of seized NDPS substance of this case cannot be allowed as because the same may be required at the time of trial of this case. The prayer stands rejected.

To **16.06.2022**. for appearance(1), production(1) and ER of WA.

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.

In the Court of Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat.

Special Case No. 41 of 2021 (CIS No. 64/21)

CNR Number : WBDD01-001100-2021

Present: Shri. Ajayendra Nath Bhattacharya, Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat (JO Code: WB00819).

ORDER NO. 18

04.04.2022

Case record is put up on receipt of charge sheet.

Received Supplementary Charge Sheet from the I.O. of the case which be tagged with the case record. The details of Supplementary Charge Sheet is - Supplementary Charge Sheet No. 2/2022 dated 31.03.2022 Under Section 21(c)/22(c)/23(c)/27A of the NDPS Act,1985, R/W Sec. 14A(b)/14C of F.

Act against the accused persons namely:

1. Firdos Hasan @ Md. Fardous Hasan
2. Paritosh Sarkar @ Gabbar

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

Prima facie case u/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985, R/W Sec. 14A(b)/14C of F. Act.

On perusal of the case record, it is seen that out of 02 accused persons charge sheeted, one (01) accused person namely Firdos Hasan @ Md. Fardous Hasan is in custody and another accused person namely Paritosh Sarkar @ Gabbar is also in custody on the strength of production warrant.

To date **26.04.2022** for production(2) and consideration of charge.

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.

**In the Court of Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat.
Special Case No. 38 of 2022 (CIS No. 64 of 2022)**

CNR Number : WBDD01-000887-2022

Present: Shri. Ajayendra Nath Bhattacharya, Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat (JO Code : WB00819)

Order No. 25
28-10-2022

Record is put up today.

Received a skeleton record from the court of Ld. CJM, Dakshin Dinajpur along with order sheet and charge sheet wherefrom it appears that charge sheet has been submitted in this case before the court of Ld. CJM, Dakshin Dinajpur on 21.10.22.

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. 667/2022 dated 20.10.2022 Under Section 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 against the accused persons namely:

1. Subhankar Barman @ Subho
2. Bitla @ Jhantulal Chakrobarty
3. Gopal Barman
4. Rinku Dey Sarkar
5. Pintu Dey Sarkar
6. Jiban Debnath

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

Prima facie case u/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985 is apparent and Cognizance is taken for commission of offence U/s. 21(c)/22(c)/23(c)/25/27A/28/29 of the NDPS Act,1985.

On perusal of the case record, it is seen that out of 06 accused persons charge sheeted, five (05) accused person namely **Subhankar Barman @ Subho, Gopal Barman, Rinku Dey Sarkar, Pintu Dey Sarkar, Jiban Debnath** are in custody and prayed for issuance of warrant against the remaining 01 (one) absconder accused person namely **Bitla @ Jhantulal Chakrobarty**.

Special Case No. 38 of 2022 (CIS No. 64 of 2022)

CNR Number : WBDD01-000887-2022

Hence, issue warrant of arrest against absconder accused persons namely Bitla @ Jhantulal Chakrobarty.

BC-II to comply.

A petition is filed on behalf of accused **Subhankar Barman @ Subho, Gopal Barman** along with fresh walakalatnama praying for bail on the ground that they are in custody for the period of 180 days and no CS has been filed within the statutory period.

Strong objection is taken by Ld. PP.

On perusal of the case record I find that CS has already been filed in this case on 21.10.2022 before the Ld. CJM, Dakshin Dinajpur as this court was not in seisen due to Puja Vacation. As CS has already been filed by the investigating agency within the statutory period, as such the accused persons are not entitled to statutory bail. Accordingly the prayer stands rejected.

To date 29.10.2022 for production from J/C(5) and ER of WA(1).

Dict & Corr by

Special Judge,NDPS Act

Special Judge,NDPS Act