

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

Special Case No. 99 of 2022 (CIS 182 of 22)

CNR No. WBDD01-002853/2022

**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. 24

24-07-2023

Accused person namely Debendra Ahuja @ Chintu Ahuja is produced from J/C.

It is submitted by the Ld. Lawyer for the accused persons that a petition filed on behalf of the accused on 10.07.2023 is pending before this Court.

The petitioner is taken up for hearing.

Ld. Lawyer for the accused person submitted that in this case charge sheet already has been submitted against FIR named accused persons namely Kaimuddin Mia by the CID. Subsequently the case was reopened by another agency and this accused Debendra Ahuja @ Chintu was arrested. This accused had taken into P.C and during P.C nothing was recovered from his possession. Allegedly two bank account no. of the accused collected by the Subsequent IO and alleged that bank transaction in those two account shown that the huge turn over approximate 23 crore from 08.01.2020 to

30.11.2022 took place. It is submitted that the accused person is a licensee businessman of the drug (medicine) and CID falsely implicated him in this case.

Ld. Lawyer for the accused persons prays for show cause the investigation officer as to why continuation of the purported further investigation ahead in respect to the petitioner qua in connection with this case shall not be ceased.

Ld. P.P. opposed the prayer of the Ld. Lawyer of accused person. He submitted that during jail interrogation and subsequently on P.C, involvement of the accused persons is revealed before the investigation agency and this accused is the king pin of the smuggling of the phensedyl.

I have gone through the C.D and heard both sides. There is material in the CD against the accused person. It reveal from C.D. that the accused the organizing the supply line of phensedyl from U.P. and he along with his associates running the illegal racket of smuggling of phensedyl in different district of West Bengal and Bangladesh.

It is fact that the first I.O of this case has submitted the charge sheet against one accused person under section 21(c) of NDPS Act with a prayer to continue further investigation as per provision under section 173(8) Cr.P.C against FIR named accused Aminul Islam and others.

During further investigation the present I.O. got link that a drug smuggling racket is involved in clandestine business of phensedyl cough syrup and this accused persons is involved in this case.

There is no impediment to continue further investigation even after filing of the charge sheet as per provision of section 173(8) of Cr.P.C and if after investigation sufficient materil is found then there is no impediment to file supplementary charge sheet against the accused already charge sheeted or any other accused if involvement established in this case. Therefore the petition of the accused person has no merit and accordingly the petition is rejected.

Considering the material on CD and quantity of contrabands material seized, I am not inclined to grant bail to the accused person. Hence prayer for bail is rejected.

To 07.08.2023 for Production.

Return CD.

Dict & Corr by

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

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cum-ADJ, 3rd Court,
Balurghat,Dakshin Dinajpur.**

