

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:-

Sayan Das, Naru Das and Amal Barman

Firstly--- That on 21.10.2023 at about 01.45 hrs at Lama (Chakpara Field) near BP No. 277/11-S, under PS Hili, Dist. Dakshin Dinajpur, BSF personnel of BOP, Durgapur found that you tried to smuggle of 158 nos.fairdyl and 80 nos. of MK Dyl Bottles contain "Codeine and chlorpheniramine" amounting to commercial quantity with the help of Naru Das and Amal Barman without any valid documents for the purpose of sell or transport and you all have thereby committed an offence punishable **U/S.21(c) of the NDPS Act**, and within my cognizance.

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

Secondly--- That on 21.10.2023 at about 01.45 hrs at Lama (Chakpara Field) near BP No. 277/11-S, under PS Hili, Dist. Dakshin Dinajpur, BSF personnel of BOP, Durgapur found that you tried to smuggle of 158 nos.fairdyl and 80 nos. of MK Dyl Bottles contain "Codeine and chlorpheniramine" amounting to commercial quantity with the help of Naru Das and Amal Barman without any valid documents for the purpose of sell or transport and you all have thereby committed an offence punishable **U/S.22(c) of the NDPS Act**, and within my cognizance.

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

Thirdly--- That on 21.10.2023 at about 01.45 hrs at Lama (Chakpara Field) near BP No. 277/11-S, under PS Hili, Dist. Dakshin Dinajpur, BSF personnel of BOP, Durgapur found that you tried to smuggle of 158 nos.fairdyl and 80 nos. of MK Dyl Bottles contain "Codeine and chlorpheniramine" amounting to commercial quantity with the help of Naru Das and Amal Barman without any valid documents for the purpose of transship, export or import and you all have thereby committed an offence punishable **U/S.23(b) of the NDPS Act**, and within my cognizance.

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

Fourthly--- That on 21.10.2023 at about 01.45 hrs at Lama (Chakpara Field) near BP No. 277/11-S, under PS Hili, Dist. Dakshin Dinajpur, BSF personnel of BOP, Durgapur found that you tried to smuggle of 158 nos.fairdyl and 80 nos. of MK Dyl Bottles contain "Codeine and chlorpheniramine" amounting to commercial quantity with the help of Naru Das and Amal Barman without any valid documents for the purpose of transship, export or import and you both financed the said illicit traffic and you both have thereby committed an offence punishable **U/S.27(A) of the NDPS Act**, and within my cognizance.

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

Fifthly--- That on 21.10.2023 at about 01.45 hrs at Lama (Chakpara Field) near BP No. 277/11-S, under PS Hili, Dist. Dakshin Dinajpur, BSF personnel of BOP, Durgapur found that you tried to smuggle of 158 nos.fairdyl and 80 nos. of MK Dyl Bottles contain "Codeine and chlorpheniramine" amounting to commercial quantity thus you both 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 both have thereby committed an offence punishable **U/S.28 of the NDPS Act**, and within my cognizance.

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

Sixthly--- That on 21.10.2023 at about 01.45 hrs at Lama (Chakpara Field) near BP No. 277/11-S, under PS Hili, Dist. Dakshin Dinajpur, you both being a party to a criminal conspiracy to comkmit an offence punishable under the provision of NDPS Act and you both have thereby committed an offence punishable **u/s. 29 of the NDPS Act** and within my cognizance of this Court.

The contents of the charges are read over and explained to the accused persons in Bengali to which they pleads **not guilty** and claims to be tried.

Dated, the 10th 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
Special Case No.82 of 2023 (Computer Registration No.82/2023)
(Session Trial No. 48/2025) CNR No.WBDD01-002865-2023.
Present :- Manoj Kumar Prasad (J.O Code No.WB 00779).**

Order No.01
10.07.2025

Accused persons namely **Naru Das and Sayan Das** on Court bail are present by filing hazira.

Another accused Amal Barman is 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 Drugs and Cosmetics Act is made out against accused persons namely **Naru Das, Sayan Das and Amal Barman**.

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 08.12.2025 for evidence of CSW No.1 and 2.

09.12.2025 for evidence of CSW No. 3 and 4.

11.12.2025 for evidence of CSW No. 5 and 6.

12.12.2025 for evidence of CSW No. 7 and 8.

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.**