

CHARGES WITH SEVEN HEADS

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

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

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

hereby charge you ⁽²⁾

**as follows:- Allauddin Miya Rahaman, Aktarul Hossain, Rafikul Molla, Mridul Ghosh
and Aminul Miah @ Amu**

Firstly---- That on 01.03.2025 at about 21.30 hrs near Nizamtara (Dangarhat-Patiram road), under PS Kumarganj, Dist. Dakshin Dinajpur, BSF personnel of BOP Rasulpur apprehended Allauddin Miya Rahaman and Aktarul Hossain and found that you tried to smuggle 159 nos. of Phensegrill and 159 nos. of Phensegrip bottles containing “Codeine and Chlorpheniramine” amounting to commercial quantity with the help of Rafikul Molla, Mridul Ghosh and Aminul Miah @ Amu without any valid documents for the purpose of sell or transport and you 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 01.03.2025 at about 21.30 hrs near Nizamtara (Dangarhat-Patiram road), under PS Kumarganj, Dist. Dakshin Dinajpur, BSF personnel of BOP Rasulpur apprehended Allauddin Miya Rahaman and Aktarul Hossain and found that you tried to smuggle 159 nos. of Phensegrill and 159 nos. of Phensegrip bottles containing “Codeine and Chlorpheniramine” amounting to commercial quantity with the help of Rafikul Molla, Mridul Ghosh and Aminul Miah @ Amu without any valid documents for the purpose of sell or transport and you 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 01.03.2025 at about 21.30 hrs near Nizamtara (Dangarhat-Patiram road), under PS Kumarganj, Dist. Dakshin Dinajpur, BSF personnel of BOP Rasulpur apprehended Allauddin Miya Rahaman and Aktarul Hossain and found that you tried to smuggle 159 nos. of Phensegrill and 159 nos. of Phensegrip bottles containing “Codeine and Chlorpheniramine” amounting to commercial quantity with the help of Rafikul Molla, Mridul Ghosh and Aminul Miah @ Amu without any valid documents for the purpose of transship, export of import and you 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 01.03.2025 at about 21.30 hrs near Nizamtara (Dangarhat-Patiram road), under PS Kumarganj, Dist. Dakshin Dinajpur, BSF personnel of BOP Rasulpur apprehended Allauddin Miya Rahaman and Aktarul Hossain and found that you used motor cycles having Reg. no. WB62A/5962 (TVS Apache) with a view to smuggle 159 nos. of Phensegrill and 159 nos. of Phensegrip bottles containing “Codeine and Chlorpheniramine” amounting to commercial quantity with the help of Rafikul Molla, Mridul Ghosh and Aminul Miah @ Amu without any valid documents for the purpose of transship, export of import and you have thereby committed an offence punishable **U/S.25 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.

Fifthly---- That on 01.03.2025 at about 21.30 hrs near Nizamtara (Dangarhat-Patiram road), under PS Kumarganj, Dist. Dakshin Dinajpur, BSF personnel of BOP Rasulpur apprehended Allauddin Miya Rahaman and Aktarul Hossain and found that you tried to smuggle 159 nos. of Phensegrill and 159 nos. of Phensegrip bottles containing “Codeine and Chlorpheniramine” amounting to commercial quantity with the help of Rafikul Molla, Mridul Ghosh and Aminul Miah @ Amu without any valid documents for the purpose of transship, export of import and you have financed the said illicit traffic and you 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 01.03.2025 at about 21.30 hrs near Nizamtara (Dangarhat-Patiram road), under PS Kumarganj, Dist. Dakshin Dinajpur, BSF personnel of BOP Rasulpur apprehended Allauddin Miya Rahaman and Aktarul Hossain and found that you tried to smuggle 159 nos. of Phensegrill and 159 nos. of Phensegrip bottles containing “Codeine and Chlorpheniramine” amounting to commercial quantity with the help of Rafikul Molla, Mridul Ghosh and Aminul Miah @ Amu thus you both 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 both 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 01.03.2025 at about 21.30 hrs near Nizamtara (Dangarhat-Patiram road), under PS Kumarganj, Dist. Dakshin Dinajpur, you both being a party to a criminal conspiracy to commit an offence punishable under the provision of NDPS Act and you all have thereby committed an offence punishable **U/s. 29 of 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 11th day of November, 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.10 of 2025 (Computer Registration No.22/2025)
(Session Trial No. 80/2025) CNR No.WBDD01-001992-2025.
Present :- Smt. Sharanya Sen Prasad (J.O Code No.WB 00690).

Order No.01
11.11.2025

Accused persons namely Rafikul Molla, Mridul Ghosh and Aminul Miah @ Amu are produced from J.C and remanded to J.C. till next date.

Rest accused persons namely **Allauddin Miya Rahaman and Aktarul Hossain** on Court bail are present by filing hazira.

The learned P.P-in-charge and the learned advocate for the accused persons are present.

A bail prayer is filed on behalf of the accused person namely **Aminul Miah @ Amu**.

Ld. Adv for the accused person prays for bail on the ground of non-absconsion as the accused being local resident. The prayer is opposed by the Ld. P.P as the investigation of the case is already completed.

Heard both sides and considering the materials on record including the quantity of seizure of contrabands, the prayer for bail of accused **Aminul Miah @ Amu** is hereby **rejected**.

Now the case record is taken up for hearing of Consideration 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)/25/27A/28/29 of N.D.P.S** Act is made out against accused persons namely Rafikul Molla, Mridul Ghosh and Aminul Miah @ Amu, **Allauddin Miya Rahaman and Aktarul Hossain**.

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. and the evidence already recorded for the other accused persons.

Fix 15.12.2025 for Evidence of CSW no. 1 and 2.

16.12.2025 for Evidence of CSW no. 3 and 4.

17.12.2025 for Evidence of CSW no. 5 and 6.

18.12.2025 for Evidence of CSW no. 7 and 8.

19.12.2025 for Evidence of CSW no. 9 and 10.

20.12.2025 for Evidence of CSW no. 11 and 12.

22.12.2025 for Evidence of CSW no. 14 and 17.

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.**