

**CIS REGN. NO. NDPS/52/2020.**  
**IN THE COURT OF THE JUDGE, SPECIAL COURT (UNDER NDPS ACT) AT**  
**SILIGURI**  
**C.R.(NDPS) CASE NO. 52 OF 2020.**

**STATE OF WEST BENGAL**  
**VERSUS**  
**Tajibul Haque@ D.J....ACCUSED PERSON**

---

**Order No.21 dated 23.03.2021 :**

Today is fixed for report from the I.O and hearing of the bail application filed on behalf of the accused Tajibul Haque@ DJ on 19-03-2021.

The Ld. Advocate for the accused submits that charge sheet without chemical report in a NDPS Case is an incomplete one and the accused cannot be detained on the ground that charge sheet has been filed within 180days.

The I.O is present today and files report along with a copy of the chemical examination report received. It has been stated in the report that the chemical examination report is ready and he has sent special messenger, Constable 205, A.Habib to collect the same. It is stated in the report that the messenger could not reach with the report within due time.

The Ld. P.P submits that the messenger would reach the P.S along with the report within 4-5 days.

The contraband which was seized is ganja and there is judicial pronouncement to the effect that in case of ganja, charge sheet can be submitted without chemical report. Of course, chemical examination report would be essential for the purpose of framing of charge and commencement of trial. The amount seized being of commercial quantity and the fact that the report of chemical examination is ready, I find that the trial can be commenced shortly.

Considering the above facts and the bar under section 37(1)(b)(ii) of NDPS Act, I am inclined to allow another week's time for submission of the chemical examination report. The bail prayer is rejected at this stage.

To 30-03-2021 for awaiting chemical report and further order.

Dict. & corrected by me:

Sd/-  
Judge Special Court,  
(NDPS) Act, Siliguri

Sd/-  
Judge Special Court  
(NDPS) Act, Siliguri