

IN THE SPECIAL COURT OF
THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT
PURBA MEDINIPUR AT TAMLUK,

Present :- Sri Lokesh Pathak,
Addl. District & Sessions Judge, 2nd Court,
in charge of Addl. District & Sessions Judge, 1st
Court- cum-Judge, Special Court,
Of the Narcotic Drugs and
Psychotropic Substances Act, 1985
Purba Medinipur at Tamluk.

TR(NDPS)- 09/2021
Regd No. 09/2021
WBEM010028422021

State of West Bengal

-Vs-

1. Kalipada Das
2. Saiful Mallik.....accused persons.

Order No.1
27.09.2021

Received part record from the Ld. Chief Judicial Magistrate, Purba Medinipur at Tamluk, forwarding report of arrested accused persons, namely, Kalipada Das and Saiful Mallik, memos of arrest, notices, seizure lists dated 24.09.2021, inspection memos, rapid antigen ICT of the accused persons for COVID 19 result showing "Negative" and formal FIR in connection with Nandakumar PS Case No.409 of 2021 dated 24.09.2021 under section 20(b)(ii)(B)/29 of the NDPS Act, prayer of the I.O for police remand of the accused persons and also the accused persons namely, Kalipada Das & Saiful Mallik.

From inspection memos, I find that no external injury could be detected on the person of the accused person.

Seen.

Let the case be registered.

Sd/-

Jude, Special Court.
Tamluk, Purba Medinipur.
In-Charge.

Later :-

Accused persons, namely, Kalipada Das & Saiful Mallik are produced before this court. They are taken into custody and remanded to J/C till 08.11.2021.

No bail application has been filed on behalf of the accused persons, namely, Kalipada Das & Saiful Mallik.

None moved on behalf of the accused as no lawyer appeared before this court today

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on the account of “Bharat Bandh” called by an organization.

The I.O of this case, namely, SI, Rahamat Tulla Khan of Nandakumar PS, Purba Medinipur has filed an application seeking police custody of these arrested accused persons,namely, Kalipada Das & Saiful Mallik for ten (10) days duly forwarded by the Sub-Divisional Police Officer, Tamluk.

Perused the prayer of the Investigating Officer, SI, Rahamat Tulla Khan of Nandakumar PS, Purba Medinipur of this case.

It appears that the instant application has duly been forwarded by the Sub-Divisional Police Officer, Tamluk.

Considered.

It also appears to me for the purpose of proper and effective investigation of the case and for the purpose of further recovery and to find out the actual source, prayer for police custody should be allowed but at the same time, it appears to me eight (8) days police custody would be just and proper for that purpose.

Accordingly, prayer for police custody of accused persons,namely, Kalipada Das & Saiful Mallik is allowed for 08 (eight) days.

To 04.10.2021 for production of accused persons from police custody.

The I.O of this case is directed to produce the accused on that date fixed at about 10:30 positively.

The I.O of this case is directed to strictly follow the guideline of Hon’ble Supreme Court of India passed in D.K. Basu’s case regarding police custody of an person. It needless to point out that during PC the accused should not be in any way manhandled or tortured and he be produced for medical check up at regular intervals in accordance with law.

I.O of this case is directed to follow the protocols and guidelines of COVID-19 of the State Government as well as the Central Government.

Inform to Controller of Sub-Correctional Home, Tamluk.

Let a copy of this order be sent to the Investigating Officer, SI, Rahamat Tulla Khan of Nandakumar PS, Purba Medinipur for information and necessary action.

Dict. & corr. by me,

Sd/-

Judge,
Special Court
In-charge.

Sd/-

Judge, Special Court
Purba Medinipur at Tamluk
In-Charge.