

**Present :-** Shri Hemanta Sinha  
Judge, Special Court, Narcotic Drugs and  
Psychotropic Substances Act, 1985  
Purba Medinipur at Tamluk.

**TR(NDPS)- 10/2024**  
**Regd No. 10/2024**  
**WBEM0100-5454-2024**

Order No.1  
24.07.2024

Received formal FIR, written complaint, forwarding report of the accused persons namely Sk. Sirajul and Tapas Maity, along with a prayer for police remand of the accused persons for seven days, notice, inventory list, memo of arrest, inspection memo, seizure list along with prayer for certification of correctness, inventory, photographs and samples of seized narcotic drugs, prayer for sample collection , in connection with Contai PS case no. 475/24 dt. 23-07-24 u/s 20(b)(ii)(c ) of NDPS Act, 1985.

Accused persons namely Sk. Sirajul and Tapas Maity are taken into custody and remanded to JC.

Seen. Let the case be registered as **TR(NDPS) Case No.10 of 2024.**

One bail application is filed by the Ld. CDC, LADCS on behalf of the accused persons.

Ld. PP-in-charge is present.

The application for bail is taken up for hearing.

Heard both sides. Perused the petition praying for bail as well as the C.D.

Ld. CDC, LADCS, prays for bail of the accused persons on any condition submitting that the accused persons have been falsely implicated in this case and nothing has been recovered from their possession.

Ld. PP in charge raises vehement objection against the prayer for bail at the stage of investigation.

On careful perusal of the materials on record including the CD it appears that 20 numbers of sealed packets containing contraband ganja were recovered from the joint conscious possession of the accused persons. It appears from the seizure list that total 20 packets, containing one kg each, were recovered from the possession of the accused persons. It also appears that the contraband ganja, as recovered, is of commercial quantity.

Having heard the submissions of both sides and considering the materials on record I am not inclined to allow the prayer for bail of these accused persons at this stage of investigation.

Hence, the prayer for bail of the accused persons stands **rejected.**

D/C by me.

Judge,  
Special Court

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**Later:- dated 24.07.2024**

The Ld. PP-in-charge moves the application seeking police custody of the arrested accused persons namely Sk. Sirajul and Tapas Maity for seven (07) days duly forwarded by the I.C Contai.

I.O of this case, is present. He produces the C.D..

Perused the prayer of the Investigating Officer, of Contai PS, Purba Medinipur of this case.

It appears that the instant application has duly been forwarded by the I.C Contai

Considered.

It also appears to me that the accused is a carrier and the consignor as well as the consignee of contraband are still at large. So, for the purpose of proper and effective investigation of the case and for the purpose of further recovery of more illegal Ganja and to detect the associates in the crime and to arrest them, prayer for police custody should be allowed but at the same time, it appears to me five (05) days police custody would be just and proper for that purpose.

Accordingly, prayer for police custody of accused persons, namely, Sk. Sirajul and Tapas Maity is allowed for 05 (five) days .

The I.O of this case is directed to produce the accused persons on 29-07-2024 at 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 as well as the relevant provisions of CrPC and the Special Law. 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.

To **29.07.2024** for production of accused persons from police custody. Inform the Superintendent of police of the District forthwith.

Let a copy of this order be sent to the Investigating Officer, for information and necessary action.

Dict. & corr. by me,

S/d-

Judge,  
Special Court

S/d-

Judge, Special Court  
Purba Medinipur at Tamluk

