

West Bengal Form No. 3957
H.C. Criminal Form No. (P) 38

JO Code No. WB00885
T. R Case No. 06 of 2022

CHARGE WITH ONE HEAD
[No. XXVIII (II), Schedule V. Act V. 1898]
(Sections 221,222,223, Code of Criminal Procedure)

Name and Officer of Shri Saugata Roy Chowdhury,
Judge, Special Court under N.D.P.S Act, Howrah.

hereby charge you **Saroja Kumar Swain**

That on 30-12-2021, in between 0615 hours and 0725 hours, at Howrah Railway New Complex, Platform No.17/18, Khargapur end, you were found 12 kgs ganja in violet colour trolley bag and you were unable to produce valid documents in support of your possession of the said Narcotic Substance and that you, thereby committed an offence punishable under section 20(b)(ii)(B) of the N.D.P.S Act, within the jurisdiction of this Sessions Court.

The charge so framed, is read over and explained to the accused person in the Bengali language, to which he plead not guilty by saying “Ami Nirdoshi” and claimed to be tried.

Dated: the 18th day of September, 2023.

Dictated & Corrected by me

Special Judge,

Judge, Special Court under
N.D.P.S Act, Howrah.

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Present : Shri Saugata Roy Chowdhury, Judge, Special Court under N.D.P.S Act, Howrah.

Order No. 1 dated: 18-09-2023.

One accused person, namely **Saroja Kumar Swain**, on court bail, is present and file hazira.

Ld. P.P-in-Charge and Ld. Defence Counsel are present.

The case is taken up for consideration of Charge.

Heard the learned P. P. In-Charge and the learned Advocate for the accused person.

Learned Public Prosecutor submits that a strong prima facie case under Section 20(b)(ii)(B) of the N.D.P.S Act has been made out against the above named accused person.

Learned P.P In-Charge opens the case and describes the charge. He also describes the evidence by which he proposes to prove the guilt of the accused person.

I have perused the charge sheet, seizure list, statement of witnesses, chemical analyst report and all other materials on record.

Having considered the submission made by the learned P.P. In-Charge and the learned defence Advocate and having gone through the documents as indicated above, I am of the opinion that there is ground for presuming that the accused person has committed an offence u/s. 20(b)(ii)(B) of the N.D.P.S Act, which is exclusively triable by this Special Court. Hence, Charge under section 20(b)(ii)(B) of the N.D.P.S Act is framed against the accused person.

Charge so framed, is read over and explained to the accused person in the Bengali language, to which he pleaded not guilty of the Charge by saying “Ami Nirdosh” and claimed to be tried.

Fix **19-10-2023 and 20-11-2023** for evidence.

To date for appearance of the accused person.

The Prosecution is directed to produce the concerned witness on the date fixed.

Dictated & Corrected by me

Special Judge,

Judge, Special Court under
N.D.P.S Act, Howrah.

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Later
(Order No. 1 dated: 18-09-2023).

Today a personal bond of Rs.10,000/- has been filed on behalf of the accused Saroja Kumar Swain, as per order No.11, dated 09-03-2023.

Let the said personal bond be accepted.

The I/O is directed to facilitate return of Vivo 1819 mobile phone seized as personal property of the accused Saroja Kumar Swain in reference of Howrah GRPS case No.69/2021 dated 30-12-2021, u/s 20(b)(ii)(B) of the N.D.P.S Act, as per order No.11, dated 09-03-2023 passed by this court.

Let a copy of this order be sent to the I/O of this case for taking necessary action.

To date (19-10-2023).

Dictated & Corrected by me

Special Judge,

Judge, Special Court under
N.D.P.S Act, Howrah.