

IN THE COURT OF THE JUDGE, SPECIAL COURT UNDER NDPS
ACT-CUM- ADDL. DISTRICT AND SESSIONS JUDGE,
3rd COURT, HOWRAH.

JO Code No. WB00787
Registration No. of 2024
NDPS Case No.21 of 2024

Ref : Chatterjeehat PS Case No. 204/24, dated
02.10.2024 U/s 21(C)/29 of N.D.P.S Act, 1985.

State
Vs.

- 1) Danabir Chatterjee**
- 2) Bijoy Chakraborty**
- 3) Sourav Awol**
- 4) Shankar**

Order No. 1 dated 03.10.2024

Today this court received the written complaint of the case pertaining to Chatterjeehat PS Case No. 204/24, dated 02.10.2024 U/s 21(C)/29 of N.D.P.S Act, 1985 against four FIR named accused persons namely against Danabir Chatterjee, Bijoy Chakraborty, Sourav Awol and Shankar along with all related papers of the allegedly detected case namely formal FIR, written complaint, notice u/s. 103(3) BNSS and u/s. 103(4) BNSS as were served upon the concerned accused persons at the time of allegedly detected case, search list, notice u/s. 50 of NDPS Act as are said to be have been served upon the accused persons individually, seizure list, arrest memo of the two accused persons namely in respect of Danabir Chatterjee and Bijoy Chakraborty inventory list, pre-medical examination of the said two arrested accused persons and impression of specimen seal etc. as well as a close cover/envelope which is said to be containing the micro SD card containing the video photography of the entire search and seizure of the case as well as the seized alamats as per exhibits. They are seen and taken to record. Seized materials of this case be kept in the malkhana of the police department after following all rules and procedure.

Cognizance of the case is taken.

Today the investigating officer forwarded the two accused persons before this court today namely Danabir Chatterjee and Bijoy Chakraborty and along with forwarding report.

Now, they are taken into custody of this court.

While forwarding the above named two accused persons before this court, the investigating officer files a separate prayer praying for 10 days police custody in respect of the said two accused persons namely Danabir Chatterjee and Bijoy Chakraborty on the grounds as stated therein.

The above police custody prayer of the investigating officer in respect of the above two accused persons is moved before this court by the Ld. Public Prosecutor Firoz Sarkar.

Perused the CD in this case as well as considered the nature of the case against the above named two accused persons. Thus, after careful consideration of the nature of the case and grounds of police custody, this court is of the opinion that the prayer for police custody is bonafide for the sake of proper investigation of the case.

Under that circumstances the above named two accused persons namely Danabir Chatterjee and Bijoy Chakraborty are given to the custody of the investigating officer for a period of 7 days from the date of this order with a specific direction that after the completion of the above 7 days police custody, he will produce them from police custody before the Court of Ld. CJM, Howrah along with the result of the police custody on 09.10.2024, since on the said day this court will remain closed.

I/O is directed in this behalf with specific direction that during the period of police custody, he shall get each of the accused persons medically examined before any Government Hospital or Government medical establishment and submit a report in this behalf while producing the accused persons back before the Ld. CJM, Howrah after police custody so as to rule out any case of physical torture.

I/O is further directed that he would comply the specific direction of the Hon'ble Supreme Court of India as was given in D.K. Basu case in this behalf.

Before the above named two accused persons are given in the police custody, left thumb impression of each of the said accused persons be obtained at the margin of this order sheet in order to prove the fact that before the accused were given in police custody they were physically produced before this court.

BC-I will ensure to get the above direction complied with.

Today the Ld. Advocate appearing for the above named two accused persons file their bail application. The above bail application of the above named two accused persons are all rejected for the reason that they have been given in police custody.

Fixing **13.11.2024** for I/O's report on the completion of the investigation.

CD is returned to the I/O of this case.

Let a copy of this order be given to the investigating officer of this case for his information and guidance.

Dictated & Corrected by me,

Special Judge,

Judge, Special Court under
N.D.P.S Act, Howrah.
JO Code No. WB00787