

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

**N.D.P.S Case No. 14 of 2024
CNR No. WBHW-00-00.....-2024**

Ref : Sankrail PS. Case No. 536/2024, dated 24-07-2024, U/s 20(b)
(ii)(C)/29 of N.D.P.S Act, 1985.

**State
Vs.
Elias Mondal**

Order No. 1 dated 24-07-2024

Accused person, namely Elias Mondal is produced before the court and placed on dock.

Received the complaint, formal FIR, seizure list, search list, notice U/s 50 of the N.D.P.S Act, notices U/s 103 BNSS, Impression seal, inventory list, memo of arrest and medical paper.

Perused the materials on record.

Register it NDPS Case.

No defence counsel is available. Yet the accused person can not be allowed to remain undefended. As such, Ld. Advocate from DLSA Smt. Tandra Ghatak Das is appointed as counsel to represent the accused person.

A bail petition has been filed on behalf of the accused Elias Mondal on the grounds stated therein.

Copy served and objected to.

The record is taken up for bail hearing.

The Ld. Counsel for the defence submits before the court that the accused person has been falsely implicated. On this ground accused person Elias Mondal prayed for bail.

The Ld. P.P In-charge raised strong objection.

This is a case u/s. 21(C) of NDPS Act. Contraband of 235.150 kgs of ganja has allegedly been recovered from the possession of the accused person. The investigation is at nascent stage. Considering the incriminating materials in the case docket, coupled with the rigors of u/s. 37 of the NDPS Act the prayer for bail petition of accused Elias Mondal is considered and rejected.

The IO files a prayer for police remand of the accused person Elias Mondal.

Seen the prayer of IO with recommendation of Assistant Commissioner of Police, North Division (I), Howrah who prays for allowing fourteen (14) days police remand of the accused person namely Elias Mondal.

Ld. P.P. Incharge is present.

CD is produced. IO is present. Heard I/O.

Perused the CD and the forwarding report duly forwarded by Assistant Commissioner of Police, South Division(II), Howrah. The prayer for PC for seven (07) days is for arrest of other accused person which appears from the statement of the accused in CD that the accused will assist the police in investigation.

It is manifest from the CD that 235.150 kgs ganja, has been recovered from the possession of the accused person. The investigation agency believes that further recovery can be made on the basis of disclosure made by the accused before the police. Considering the incriminating materials in the CD and the submission of the I/O, I am of the view that prayer for PC should be allowed for ten (10) days. Accordingly, the prayer for PC for ten (10) days is allowed.

IO is directed to ensure that utmost care and caution be taken by Police personnel and the accused person is not man handled in any manner whatsoever and

to provide them with all possible medical assistance if needed, during the period of police remand. The accused must be taken for medical check up on each day during police remand.

IO is further directed to strictly observe the guidelines set out by our Hon'ble Apex Court regarding police custody of accused.

Let a copy of this order be sent to Assistant Commissioner of Police, North Division (I), Howrah for his information and taking necessary action.

To 03-08-2024 for production of the accused person and IO report.

Dictated & Corrected by me

Special Judge

Judge, under N.D.P.S Act,

-cum-

Additional Sessions Judge,

3rd Court, Howrah.

JO Code No. WB00644