

**JO Code No. WB00910**  
**T. R. (NDPS)Case No.20 of 2024**

**Order No. 43 dated 23.05.2025**

Today is fixed for production, appearance and supply of copy.

Charge sheet has been filed in this case against eight accused persons namely Papai Dhara, Soumya Mallick, Md. Guddu, Rahul Das, Rudal Singh, Pawan Jaiswal, Sankar Sarkar and Debabrata Das, out of which accused Debabrata Das, Papai Dhara, Soumya Mallick, Md. Guddu, Rudal Singh and Sankar Sarkar all are on CB.

As per report submitted by Superintendent of Howrah District Correctional Home accused Rahul Das @ Subrata Das has been transferred to Dhrubashram Observation and Special Home for boys on 07.10.2024 as per order of this court. The copy of which has been annexed and the accused Rahul Das shall be tried by JJB, Howrah.

Accused Pawan Jaiswal is produced from JC.

Copies have been served to all the accused persons.

One petition for modification of the order of this court dated 27.11.2024 is taken up for hearing.

Heard the Ld. Advocate of the petitioner, who submitted before this court that this court allow the petitioner to return the seized vehicle vide registration no. WB19L-3729 with several conditions, one of which is to furnish bank guarantee of Rs.5,00,000/- before this court and the present petitioner, being a needy person could not comply the condition of the court order and prayed for modification of the order.

Heard Ld. P.P. Incharge, who submitted that there is a judgment of the Hon'ble Apex Court of India in which Hon'ble Court observed that the petitioner while returning the vehicle seized in this type of cases shall ensure before the trial court that the vehicle seized shall not be disposed off and that is why the Ld. Court imposed a condition of furnishing bank guarantee upon the petitioner.

Heard both sides.

Perused the petition as well as the order passed by this court and by my Predecessor of my office on 27.11.2024.

There is very little scope for me to review, alter and re-examine my own order passed under the same capacity.

Furthermore, I perused all the conditions imposed upon the petitioner by this court vide order dated 27.11.2024. All the conditions

are interlinked and connected with each other in the light of the objective of the law/laws laid down in the NDPS Act.

There is no scope to pick and choose one condition segregating others. The condition of furnishing bank guarantee has been imposed upon the petitioner by this court to ensure the other conditions as mentioned in the order dated 27.11.2024.

I do not find any reason and ground to interfere with or modify the order passed by this court on 27.11.2024. Accordingly, the modification filed and moved by the petitioner dated 14.05.2025 is hereby rejected.

Ld. Advocate of accused Sankar Sarkar submitted that one petition has been filed on 28.02.2025 praying for functioning of four bank accounts.

Heard Ld. P.P. Incharge and the petitioner.

Let a report be called for from the I/O of this case in respect of prayer of the petitioner regarding operation of four seized bank accounts.

Another petition has been filed today on behalf of Mohit Kumar Agarwal praying for released of the seized godown.

I/O is directed to submit a report in respect of the petition submitted by the petitioner.

Let a copy of this order along with the copies of the petitions be sent to the I/O for submitting report in the next date by appearing before this court in person.

Fix 05.06.2025 for appearance, production of accused, I/O's report along with personal appearance of I/O and consideration of charge.

Dictated & Corrected by me,  
Special Judge,

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

Dictated & Corrected by me,  
Special Judge,

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