

NDPS Case No. 106 of 2023

Order No. 01 dated. 21.12.2023

Received two accused persons, namely, 1.Lahaik Ahammed, 2. Nadir Ali who are brought under arrest by NJP PS case no.1152 /2023, dt. 20.12.2023, u/s 21(c)/22(c)/25/28/29 of NDPS Act. alongwith documents in connection with. NJP PS Case No. 1152 /2023 dt. 20.12.2023 under sec. 21(c)/22(c)/25/28//29 of NDPS. Act.

Seen the F.I.R., Formal F.I.R. forwarding report alongwith , memo of arrest, Seizure list,medical papers and accused challan and they are taken into custody and remanded to J/C till 10.01.2024.

One separate petition for bail is filed, on behalf of the accuseds, by Ld. Advocate and prays for bail. Ld. P.P. In-Charge also present today. Strong objection has been raised by the Ld. P.P-in-Charge regarding bail application.

Heard from both sides.

Considering the facts and circumstances, , the bail prayer, for the accuseds, is rejected, at this stage.

One prayer for police remand of accuseds, namely, 1.Lahaik Ahammed, 2. Nadir Ali, is filed by PSI,Shyamal Dutta Roy of NJP PS, SPC forwarded by NJP PS and A.C.P., EAST-II of SMC, respectively.

On perusal of the CD, I find that the accused persons had made statement and to work out the information I am of the view that police custody is necessary otherwise the prosecution would be unable to bring the actual fact before the court.

Considering the material facts of the case, the prayer for police remand is allowed on condition to abide by the guidelines of the Hon'ble Apex Court as laid down by the Hon'ble Apex Court in D.K. Basu's Case and the directives as of NHRC and produce the accused before the court after completion of police remand on **24.12.2023** with report.

Fix 04.01.2024 for production of the accused persons,/ further order and I.O.s report by the next date.

D/C

Judge, Special Court,
(Under NDPS Act)
1st Court, Jalpaiguri