

N.D.P.S. Case No. 28/2026

Order No.1, dated 05.03.2026.

Accused Hemanta Mondal @ Himonta, son of Dhiren Mondal of Char Munshipara Battala, PS Raninagar, Dist. Murshidabad is brought under arrest and produced before this court in connection with Raninagar P.S. Case No. 0116, dt. 05.03.2026, u/S. 21(c)/29 of the N.D.P.S. Act. Received the F.I.R., written complaint, accused challan, seizure list, 'nil' seizure list, forwarding report, statement regarding ground of arrest, police arrest/custody memo, inspection memo, medical report, one sealed envelope containing compact disk, certificate u/S. 63(4)(c) of the BSA, 2023 for recording of Videography, hash value report and a prayer for certification of correctness of inventory along with a prayer for disposal of seized narcotic drug, psychotropic substances and controlled substances. Perused the same. Let the said documents be kept with the record. Register this case as N.D.P.S. Case of this court.

Ld. Special Public Prosecutor and Ld. Remand Advocate for the accused person appointed from the DLSA are present.

The above named accused person is heard in person. He makes no complaint regarding his health.

A petition for bail is also filed and moved on behalf of the accused person.

Ld. Remand Advocate for the accused person prays for bail of the accused person.

Ld. Special Public Prosecutor raises objection against the prayer for bail.

Heard the rival submissions at the Bar. Considered.

Perused the case record.

Considering the nature and gravity of the offence and bar u/S. 37 of the NDPS Act, prayer for bail of the accused person is rejected.

I.O. is also present with the C.D. and he submits a prayer for seven (07) days police remand in respect of above named accused person.

Heard the Ld. Special P.P., Ld. Remand Advocate and the I.O. of this case.

Considered.

Perused the C.D.

Also perused the prayer of the I.O. It has duly been recommended by the SDPO, Domkal, Murshidabad, CI, Domkal, Murshidabad and the O.C., Raninagar P.S., Murshidabad.

Considering the chance of further recovery and to apprehend other person, involved in the offence, prayer of the I.O. is allowed for four days and the accused person be remanded to police custody with a direction upon the I.O. to produce the accused person before this court on **09.03.2026**.

I.O. is directed not to inflict any sort of torture upon the accused person, to get him medically examined in each 24 hours and to follow the guidelines of the Hon'ble Apex Court passed in the matter of **D.K. Basu Vs. State of West Bengal** reported in (1997) 6 SCC 642 including providing medical facilities to the accused person.

To date i.e. **09.03.2026** for production of the accused person from the police custody with C.D.

I.O. also makes a prayer for authentication of the inventory as per Section 52A(2) of the N.D.P.S. Act, and he prays for disposal of the said petition.

The prayer is considered and allowed, u/S. 52A (3) of the NDPS Act.

The record be placed before the Id. J.M., Lalbagh, Murshidabad to prepare inventory during the course of which, 425 bottles of Codeine Phosphate and Triprolidine Hydrochloride syrup, alleged to have been seized, shall be put up before the Magistrate, the bottles of article shall be counted, photograph shall be taken and representative sample of the seized articles shall be collected by the I.O. The Id. Judicial Magistrate shall certify the same and send report before this court by 01.04.2026.

The record be put up before Ld. J.M., Lalbagh, Murshidabad.

I.O. is directed to put up the seized articles before the Ld. J.M., Lalbagh, Murshidabad. I.O. is also directed to make necessary arrangement on the date, to be fixed by the Id. Magistrate, to get the inventory done.

The prayer for pretrial disposal of the seized alams u/S. 52A (1) of the NDPS Act is allowed, but after completion of process of certification of correctness of inventory by the Ld. J.M. Thereafter the seized narcotic drug/psychotropic substances/ controlled substances can be disposed of as per Section 52A(1) of the said Act retaining the certificate, photographs and samples as primary evidence as per Section 52A(4) of the NDPS Act, in the manner and following the procedure as has been provided u/S. 52A of the NDPS Act.

Let a copy of this order be forwarded to the Ld. J.M., Lalbagh, Murshidabad.

Let another copy of this order be supplied to the I.O. for information and taking necessary action.

Return C.D.

Dictated & corrected
by me,

Judge.
(J.O. Code:- WB 00812)
[In-charge]

ADJ, 2nd Court, Cum,
Judge, Special Court, Under N.D.P.S. Act,
Berhampore, Murshidabad.
(J.O. Code:- WB 00812).
[In-charge]