

N.D.P.S. Case No. 91/2025

Order No.1, dated 02.06.2025.

Received original case record from Ld. ACJM, Kandi, Murshidabad along with order sheet and other connected documents. Perused the same. Let the said documents be kept with the record. Register this case as N.D.P.S. Case of this court.

Accused Biswajit Biswas is produced from JC in connection with Khargram PS Case No. 0239 dated 01.06.2025.

Ld. P.P. in-charge is present.

I.O. is also present with the C.D. and he makes a prayer for ten (10) days police remand in respect of above named accused person.

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

Heard the Ld. P.P. in-charge and the I.O. of this case.

Perused the C.D.

Also perused the prayer of the I.O. It has duly been recommended by the S.D.P.O., Kandi, Murshidabad, CI, Khargram, Murshidabad and the O.C., Khargram 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 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 **06.06.2025**.

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 **D.K. Basu Vs. State of West Bengal** reported in **(1997) 6 SCC 642** including providing medical facilities to the accused.

To date i.e. **06.06.2025** 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., Kandi, Murshidabad to prepare inventory during the course of which, the Ganja, one Goods Carrier vehicle bearing Reg. No. WB15E/1464, one Samsung mobile and cash of Rs.300/-, alleged to have been seized, shall be put up before the Magistrate, the articles shall be weighed/counted, photograph shall be taken and representative sample of the seized Ganja shall be collected by the I.O. The Id. Judicial Magistrate shall certify the same and send report before this court by **02.07.2025**.

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

I.O. is directed to put up the seized articles before the Ld. J.M., Kandi, 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 alamats 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.

Secretary, D.L.S.A., Murshidabad is requested to appoint an advocate from the panel of Advocates of D.L.S.A., Murshidabad to represent the accused person.

Let a copy of this order be sent to the Secretary, D.L.S.A., Murshidabad for information and taking necessary action.

Copy of this order also be forwarded to the Ld. J.M., Kandi, Murshidabad.

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

Return the C.D.

Dictated & corrected
by me,

Judge.
(J.O. Code WB 01303)

ADJ, 2nd Court, Cum,
Judge, Special Court, Under N.D.P.S. Act,
Berhampore, Murshidabad.
(J.O. Code WB 01303)