

N.D.P.S. Case No. 88/2024

Order No.1, dated 25.09.2024.

Accused 1. Md. Abdul Halim @ Bhola, son of Md. Aminul Islam, of village Chataidubi Natungram, P.S. Lalgola, Dist. Murshidabad, 2. Md. Khabiruddin Sk. @ Pukon, son of Lt. Amjad Biswas, of village Chataidubi Natungram, P.S. Lalgola, Dist. Murshidabad and 3. Nursad Ali @ Bishu, son of Moti Sk., of village Natun Naldahori, P.S. Lalgola, Dist. Murshidabad have been brought under arrest and produced before this court in connection with Lalgola P.S. Case No. 971/2024, dt. 25.09.2024, u/S. 21(c)/29 of the N.D.P.S. Act. Received the F.I.R., written complaint, accused challan, seizure lists, forwarding report, police arrest/custody memos, inspection memos, medical reports, certificate u/S. 65B of the Indian Evidence Act, 1872, for recording of Videography, one sealed envelope containing compact disk, 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.

Vokaltnama is filed. Let the same be kept with the record.

Ld. P.P. in-charge and the Ld. Defence Counsel, both are present.

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

The above named accused persons are heard in person. They make no complaint regarding their healths.

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

Perused the C.D.

Perused the prayer of the I.O. It has duly been recommended by the S.D.P.O., Bhagwangola, Murshidabad, the C.I., Bhagwangola Circle, Murshidabad and the O.C., Lalgola P.S., Murshidabad.

Considering the chance of further recovery and to apprehend other persons, involved in the offence, prayer of the I.O is allowed. The accused persons be remanded to police custody with a direction upon the I.O. to produce the accused persons before this court on **01.10.2024**.

I.O. is directed not to inflict any sort of torture upon the accused persons, to get them medically examined in each 48 hours and to follow the guidelines of the Hon'ble Apex Court passed in D.K. Basu Case including providing medical facilities to the accused.

To date i.e. **01.10.2024** for production of the accused persons 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, the Heroin, alleged to have been seized, shall be put up before the Magistrate, the articles shall be weighed, 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 **25.10.2024**.

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 items 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.

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 00687)

ADJ, 2nd Court, Cum,
Judge, Special Court, Under N.D.P.S. Act,
Berhampore, Murshidabad.
(J.O. Code WB 00687)