

In the Court of the Judge Special Court, Malda Under N.D.P.S. Act.
Additional District & Sessions Judge 3rd Court, Malda.

Present : Shri Arun Singha,
Judge Special 3rd Court, Malda
Under N.D.P.S. Act.

Special Case No. 29 of 2022

Reg. No. 29 / 2022

STATE -vs- 1. Monirul Molla, 2. Rina Dey & 3. Tuktuki De.

Ref : Malda Town G.R.P.S. Case No. 06/2022 dated 14.02.2022
Under Section 20(c)/29 of the NDPS Act.

Order No. 01 dated 15-02-2022

Received the FIR, formal FIR, search list, seizure list, inventory list, re-seizure list, 3 check lists of 3 accused persons in connection with Malda Town G.R.P.S. Case No. 06/2022 dated 14.02.2022.

Accused persons Monirul Molla, Rina Dey & Tuktuki De are brought under arrest.

Seen the arrest cum inspection memo, accused challan, forwarding report and medical slips of the accused persons.

Register as Special Case No. 29 of 2022.

The accused persons are remanded to J.C.

I.O. is present with CD and alamats.

Alamats marked Exhibits-A & B with pink colour small size tablets and Exhibit-C with orange colour small size tablets contained in transparent plastic jar with label pasted and sealed along with Exhibits-K, O & P appears to be seized bags with label pasted. The Exhibits- A, B & C are produced which are stated to have contained 39,800 pieces amphetamine weighing about 4.055 kgs and 10 sealed brown coloured envelopes with Exhibits- D – J, L, M & N are also produced.

Ld. Spl. P.P. is present.

Two bail petition is filed on behalf of the accused persons along with vakalatnamas. Copies served.

Heard both sides.

Ld. Advocates for the accused persons submit that the accused persons have been falsely implicated in the case and search and seizure have already been made. Accordingly, they pray for bail.

Ld. Spl. P.P. opposes the bail prayer.

Perused the case record.

The case involves recovery of amphetamine weighing about 4.055 kgs. In the circumstances, the bail prayers of the accused is considered and rejected.

One petition is filed by the I.O. seeking Police Custody of the accused for 14 days which is recommended by Dy. SRP, Malda, SLG GRP District.

Contd....

Special Case No. 29 of 2022

Contd....Order No. 01 dated 15-02-2022

The I.O.'s prayer for P.C. of the accused persons for 14 days is taken up for hearing.

Ld. Spl. P.P. moves the P.C. prayer.

I.O. is heard in person.

Heard ld. Advocates for the accused persons.

Perused the case record and CD.

The P.C. of the accused persons has been sought for effecting further recovery of narcotic drugs and for nabbing other persons involved in the case.

Considering the nature of the case and the materials appearing on record, the prayer for P.C. is allowed for five (05) days for the interest of further recovery and bursting of the racket involved in drug trafficking and in view of the circumstances as well as the purpose sought to be achieved, P.C. of the accused persons till 19.02.2022 would be sufficient.

Amongst the accused persons, one is male and other two accused persons are female while the I.O. in this case is S.I. Arunava Chatterjee, a male member and therefore before allowing the P.C. prayer it has to be satisfied that the two female accused persons are to be taken care of by only the female personnel and female personnel must be not below the rank of Constable while at least two female Constables are required to be deployed for the safety, security and justice.

I.O. is heard in this point and I.O. ensured the Court that the female accused persons shall be under the safe custody of female Constables namely, L.C. - 507 Kalyani Roy and L.C. - 514 Shiuli Sarkar till the P.C. return of those two female accused persons.

In the circumstances, considering the aforesaid, P.C. of the accused persons is allowed till 19.02.2022 with direction to produce the accused in Court on 19.02.2022 at 12:00 noon sharp.

I.O. of this case is directed to ensure that the accused persons are not subjected to any kind of physical torture during the P.C. He is further directed to get the accused persons medically examined by Government medical officer on each and every date during the period of P.C. The I.O. shall be entirely responsible for the safety and security of the person of the accused persons. The I.O. is further directed to strictly adhere to all the guidelines regarding COVID-19 issued by the Government during the P.C. period.

GRO, Malda to do the needful.

To **19-02-2022** for production of the accused from P.C. and I.O's report.

A copy of the order be supplied to the I.O. for information and compliance.

C.D., alams and property register are returned.

Dictated & Corrected by me,

Judge Special 3rd Court, Malda
Under N.D.P.S Act.

Judge Special 3rd Court, Malda
Under N.D.P.S. Act.