

Special Case No. 32 of 2022

Present : Sri Arun Singha
Judge, Special Court,
3rd Court, Malda.

Order No. 22 dated 12-09-2022

Today is fixed for report, ER of WA, production and appearance.

Accused persons namely Mostek Ahamed, Habibur Rahaman, Kinkar Sarkar @ Moju and Raja Sk. are produced from J.C.

Accused persons Md. Ajam Ali @ Ajom Sk., Abdul Khalek @ Khalek Sk. and Bablu Sekh on bail are present.

Received one report in compliance with order dated 29.04.2022 from S.P., Malda.

Seen the report.

It appears that it contains enquiry report of DSP (HQ), Malda which is submitted by S.P., Malda. On minutely perusal of the said report it appears that it is related with verification of mobile tower location regarding one Vodafone SIM. On further perusal of the said report it appears that only one statement from Vodafone-Idea Ltd. has been collected and the whole report is related with the same.

Therefore this report appears to be an incomplete report in compliance with order dated 29.08.2022 regarding clarification on tower location and place of seizure.

Two bail petitions are filed on behalf of accused persons Mostek Ahamed, Habibur Rahaman & Raja Sk. Copies served.

Heard both sides.

It is submitted by the ld. Advocates of the accused persons respectively that the mobile tower locations as made out in the report do not match with the place of seizure and arrest. It is their submissions that the accused persons have been falsely implicated in the case. Accordingly, ld. Advocates for the accused persons pray for bail.

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

Perused the case record.

The record reveals that the case involves 220 bottles phensidyl of 100 ml. each and CS has been submitted with CFSL report against these accused persons along with others. It also appears that ER of WA is awaiting against the accused persons Ismail Sk. @ Aimless and Sukuruddin Sk. In the circumstances, considering all aspects, the bail prayers of the accused persons are considered and rejected.

Regarding the report received today, ld. Spl. P.P. prays for time regarding submission of complete report in compliance with order dated 29.08.2022.

In the circumstances, fix **28-11-2022** for report, ER of WA, production and appearance.

Dictated and Corrected by me

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

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Under N.D.P.S. Act.