

**IN THE COURT OF THE JUDGE, SPECIAL COURT, ADJ 3RD COURT,
MALDA .**

Special Case No. 14 /2024

Ref:-Baishnabnagar P.S. Case No.145/2024 dated 21.02.2024 u/s-21(c)/29 of NDPS Act
R/W Section 411/413/414 of I.P.C.

Present :-Mou Chatterjee, In Charge,
Judge, Special Court,
ADJ 3rd Court, Malda.

State Vs. Delwar Seikh

Order No.01
22.02.2024

One accused person, namely, Delwar Seikh has been brought under arrest and produced before this Court. He is taken into custody and remanded to J.C.

Perused the forwarding report, memo of arrest, inspection memo, accused challan, seizure list, re-seizure list, medical slip, details of mobile, Formal F.I.R., written complaint of Baishnabnagar P.S. Case No.145/2024 dated 21.02.2024 u/s-21(c)/29 of NDPS Act R/W Section 411/413/414 of I.P.C.

Registered the case as Special Case.

It appears from the medical report of the accused that there are four bruises on his body and on asking he stated that at the time of apprehension he received those injuries.

Seized Alamats i.e. one cartoon box stated to have contained 37 numbers of refurbished mobiles (including 02 numbers mobile of apprehended person) marked as Exbt.-A, one plastic carry bag stated to have contained 21 sealed and 02 sealed BUT EMPTY marked as Exbt.-B, another plastic carry bag stated to have contained 06 sealed and 01 sealed BUT EMPTY marked as Exbt.-C, another plastic carry bag stated to have contained 08 sealed marked as Exbt.-D, another plastic carry bag stated to have contained 09 sealed marked as Exbt.-E, another plastic carry bag stated to have contained 01 sealed marked as Exbt.-F, another plastic carry bag stated to have contained 01 sealed marked as Exbt.-G, another plastic carry bag stated to have contained 01 sealed marked as Exbt.-H along with another envelope stated to have contained one C.D. containing videography of total seizure process marked as Exbt.-I.

I.O. has prayed for P.C. of the accused person for 07 days.

Bail petition along with vokalatnama is filed from the side of the accused person.

Ld. Spl. P. P. is present. Ld. Defence Counsel is also present.

The I.O. S.I. S.I. Subir Kundu of Baishnabnagar P.S. is present along with Case Diary.

Heard the I.O., Ld. P.P., Ld. Defence Counsel and the accused person in person on the prayer of the I.O. for 07 days police custody as well as the bail petition filed on behalf of the accused person.

Contd.....P-2.

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I.O. submits before this Court that to recover more Phensedyl and to nab the other culprit involve in this case, P.C. prayer of 07 days is required.

Ld. Spl. P.P. submits that commercial quantity of contraband articles have been recovered from the possession of this accused person. Thus, to nab the other person involved in this case and recovered more contraband articles P.C. prayer for seven days is required to be allowed.

Ld. Defence Counsel submits that accused is completely innocent.

Perused the case record and case diary along with the statement of the accused person and P.C. prayer of the I.O. Considered.

The Superintendent of Police, Malda has recommended and forwarded the prayer of the I.O. For the sake of smooth investigation I am inclined to allow the prayer of P.C.

Considering the statement of the accused person and submission of the I.O. and the material available in the C.D., it appears to this Court that police remand for seven days till 28.02.2024 will serve the purpose of the investigation. Hence, the prayer for police remand is allowed.

The I.O. of this case is directed to follow the guideline of Hon'ble Apex Court regarding the Human Rights of the accused person while in Police Custody and produce the accused person before this court on 28.02.2024.

Consequently, bail petition filed by the accused person is hereby **rejected**.

Fix **28.02.2024** at 10:30 a.m for production of the accused person, namely, Delwar Seikh from police custody to this Court and report of I.O.

C.D. be returned.

Dictd. & corrted. by me

*Judge, Special Court,
ADJ 3rd Court, Malda.
I/C*

*Judge, Special Court,
ADJ 3rd Court, Malda.
I/C*