

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

Special Case No. 14/2024

Ref:-Baishnabnagar P.S. Case No.145/24 dated 21-02-2024
U/s-21(C)/29 of the NDPS Act r/w Sec 411/413/414 IPC

State Vs. Tahir Sekh and Biyol @ Biol Sk.

Present : Sri Bidyut Kumar Roy
(J.O. Code-WB00855)
Judge, Special Court,
ADJ 3rd Court, Malda (i/c).

Order No.25
21-11-2024

Record is put up today by put up petition.

Accused persons namely Tahir Sekh and Biyol @ Biol Sk. have been brought under arrest and produced before this court. They are taken into custody and remanded to J.C.

Perused the forwarding report, memo of arrest, accused challan, inspection memo, medical slip, written complaint of Baishnabnagar P.S. Case No.145/24 dated 21-02-2024 U/s-21(C)/29 of the NDPS Act r/w Sec 411/413/414 IPC.

Seen the above.

Registered the case as Special Case.

On searched BSF party found 30 nos of Android mobile (different company) all of Rs. 370000/- and 47 bottles phensedyl of Rs. 9650 (total Rs. 397650) are produced.

Ld. Spl. P. P. is present.

The I.O. of this case Special Superintendent of Police CID West Bengal (Special Crime Branch, Malda) also very much present of Baishnabnagar P.S. along with Case Diary.

Heard the I.O., Ld. P.P., and the accused persons in person on the prayer of the I.O. for 6 days police custody.

I.O. submits before this Court that to recover more contraband substances along with mobile phones and to nab the other person involved in this case and to identify the racket of gang dealings P.C. prayer of 6 days is required.

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

The S.D.P.O., Baishnabnagar P.S., Malda has recommended and forwarded the prayer of the I.O. phensedyl and mobile phones have been recovered from the possession of the accused persons.

For the sake of smooth investigation I am inclined to allow the prayer of P.C for six (6) days.

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Considering the statement of the accused persons and submission of the I.O. and the material available in the C.D., it appears to this Court that six days (06) police remand will serve the purpose of the investigation. Hence, the prayer for police remand is allowed for 6 days.

The I.O. of this case is directed to follow the guideline of Hon'ble Apex Court regarding the Human Rights of the accused persons while in Police Custody and produce the accused persons before this court on **26-11-2024**. Signature of the accused persons is taken in the left margin of the order-sheet.

As a consequence bail prayer of the accused persons namely Tahir Sekh and Biyol @ Biol Sk. is accordingly rejected and disposed of.

Fix **26-11-2024** at 10:30 a.m for production of the accused persons, namely, Tahir Sekh and Biyol @ Biol Sk. from the police remand to this Court and report of I.O. C.D. be returned.

D/C by me.

**Judge, Special Court,
ADJ 3rd Court, Malda (i/c).**

**Judge, Special Court,
ADJ 3rd Court, Malda (i/c)**

Later (Dated 21-11-2024):

IO has also prayed for 6 days police remand for accused Aminul @ Aminuk Sk.

Ld. PP is very much present and prays for passing necessary direction.

I have heard submission of Ld. PP and also have gone through the IO's prayer for police remand but as the accused Aminul @ Aminuk Sk. detained in the Malda District Correctional Home and as such in order to consider the IO's prayer for police remand production of the accused is very much required and as such direction is being given to the Superintendent Malda Correctional Home for production of accused tomorrow i.e on 22-11-2024 for consideration of IO's prayer of police remand.

To date for production and hearing of PC.

Let a copy of this order be sent to the Superintendent Malda Correctional Home for information and taking necessary steps.

Sd/-

ADJ 3rd Court, Malda (i/c).

Judge, Special Court,