

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. 86 of 2022

Reg. No. / 2022

STATE -vs- 1. Md. Irsad Ali @ SP, 2. Md. Waker Yunus & 3. Arif Sk.

Ref : Gazole P.S. Case No. 473/2022 dated 17.06.2022
Under Section 21(c)/29 of the NDPS Act.

Order No. 01 dated 18-06-2022

Received the FIR, formal FIR, seizure list, search cum seizure list, authorisation letter, 3 notices and 3 consent letters in connection with Gazole P.S. Case No. 473/2022 dated 17.06.2022.

Accused persons Md. Irsad Ali @ SP, Md. Waker Yunus and Arif Sk. are brought under arrest.

Seen the memos of arrest, accused challan, forwarding report and medical slips of the accused persons.

Register as Special Case No. 86 of 2022.

I.O. is present with CD and alamats.

Alamats contained in Exhibits-A to I stated to have contained total 2 kg. 622 gms are produced.

One bail petition is filed on behalf of the accused persons with a prayer to file vakalatnama.

Bail petition is moved.

Ld. Advocate for the accused submits that the accused persons have been falsely implicated in this case and search and seizure has already been made and so no further detention of the accused persons is required and the alleged recovery of narcotic drug is not made from the possession of the accused persons. Accordingly, he prays for releasing the accused persons on bail.

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

In the circumstances, on perusal of the CD and the recovery of contraband substance, the bail prayer of the accused persons 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 S.P., Malda.

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

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

I.O. is heard in person.

Accused persons are also heard in person.

Perused the case record and CD.

The P.C. of the accused 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 seven (07) 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 till 24.06.2022 would be sufficient.

Contd....

Special Case No. 86 of 2022

Contd....Order No. 01 dated 18-06-2022

Accordingly, P.C. of the accused persons Md. Irsad Ali @ SP, Md. Waker Yunus and Arif Sk. is allowed till 24.06.2022 with direction to produce the accused persons in Court on 24.06.2022 at 01:00 pm 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 **24-06-2022** for production of the accused persons 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. and alamats 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.