

NDPS Case No. 04 of 2024 (R-04/24)

Present :Sri Chinmoy Chattopadhyay
JO Code-WB 00676
WBND010003852024

Order No. 29 dt.21.08.2025.

Sole accused Humayun Mallick on CB is found present on call is represented by his ld.advocate. Ld.Spl.PP is present.

Today is fixed for evidence. It appears from record that PW-1 SI Md. Hafijul Islam is examined in part on 21.11.2024 and since then the hearing of this case is being adjourned for further examination of PW-1. One intimation is received from ACP (HQ) Bidhannagar Police Commissionerate about service of summons upon PW-1. Let the same be kept with the record.

Ld.Spl.PP submits that PW-1 is absent and one message is submitted to the Court which shows the ground of absence of PW-1. It appears from the message as received from PW-1 that due to engagement in law and order duty it is not possible for him to appear before the Court. The ground of non-appearance of PW-1 before this Special Court under NDPS Act for this District, appears to this Court to be very flimsy and not tenable in the eye of law for consideration. Ld.Spl.PP submits that to secure the attendance of PW-1 bailable W/W be issued against him.

Heard defence counsel also. Admittedly, only after completion of evidence of PW-1 further proceeding of the trial will be conducted by calling other witnesses of the prosecution as per the charge sheet.

Considering the submission of both the sides and to secure the positive attendance of PW-1 before the Court to proceed with the trial, I am of the view that the prayer of Ld.Spl.PP should be encouraged for ends of justice.

Hence issue bailable W/W of Rs.300/- against PW-1 SI Md. Hafijul Islam , fixing 18.02.2026 for ER of W/W and further evidence of PW-1.

Let the bailable W/W issued against PW-1 be executed through the Commissioner, Bidhannagar Commissionerate in the mean time.

Dictated & Corrected by me.

Sd/- C. Chattopadhyay.
Judge, Special Court, N.D.P.S. Act,
Nadia at Krishnagar

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