

Present : Sri, Somnath Chakraborti.
NDPS 84/24 (R 84/24)
CNR-WBND010050582024
J.O, Code- WB00619

Order No.04 dated 24.09.2024

The accused persons namely **Kabijul Mondal, Yogesh Kumar and Narendra Kumar** are produced before this court after completion 07 days P.C period as per early order dated,17.09.2024. Seen the Forwarding report of I.O, accused challan and medical slip .

I.O prays for 07(Seven) days PC in respect of accused namely **Kabijul Mondal, Yogesh Kumar and Narendra Kumar** for thorough further investigation.

Learned Advocate for the accused namely **Kabijul Mondal, Yogesh Kumar and Narendra Kumar** files a petition praying for bail on the ground that the accused have been falsely implicated in this case . They are innocent and have no intention to evade the trial. So he prays for bail on any terms and conditions.

Learned special P.P. raised objection

Heard. Considered.

The IO stated in the PC petition that the previous IO inadvertently in his PC prayer stated the weight of seized articles i.e. **Acetic Anhydride is 200 Kg, whereas the actual weight of the seized articles is 210 Kg**, as a result it was mentioned in the learned Court order sheet as 200 Kg. So, the IO prays for taking the said information passing necessary order as the Court may deem fit and proper.

Learned PP submitted that it is a typographical mistake and from the seizure list it appears that **210 Kg Acetic Anhydride** was seized.

However, contraband was recovered by STF from their exclusive possession when they were unloading the articles from six-wheeler lorry and they are directly involved in the commission of offence. The recovered articles are commercial quantity. They confessed that they came for delivery of said contraband articles to their agent in lieu of money. Among the three accused two are the residents of other State

Considering the above facts and also considering the gravity of offence the bail prayer stands **rejected**.

At this stage I am not inclined to pass any order and not to rectify the order.

Let the petition be kept with the record for further reference.

As it was found from the seizure list that **210 Kg Acetic Anhydride** was seized, So that matter would be taken into consideration and at this stage Court is not inclined to pass any order.

I.O. is present before the Court today along with a prayer for further police remand for 7 (seven) days of the forwarded accused namely **Kabijul Mondal, Yogesh Kumar and Narendra Kumar** and the said prayer was duly forwarded by the Dy. Supdt. Of Poliuice, STF, West Bengal,

Ld. Special P.P. is present and prays for further police remand of the accused persons for 7 days.

Accused persons are heard in persons and they submit that they have no injury in their body.

I.O. is present with the C.D. Heard both sides.

Perused the entire materials on record.

Considered.

It appears that the prayer for PC for the accused persons has been duly forwarded by the Dy. Supdt. Of Poliuice, STF, West Bengal, The P.C. has been prayed to facilitate the investigation. It reflects that the PC if allowed will help in unearthing the truth and to ascertain the involvement of the accused, the prayer is allowed.

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The prayer of the I.O. is thus allowed.

The prayer for P.C. is allowed for 7 (seven) days.

The I.O. is allowed to take the said accused persons in police custody for 7 (seven) days and is also directed to observe all formalities of the Hon'ble Apex Court while keeping the accused persons in police custody.

During the period of remand of the accused persons in P.C., the I.O. is directed to take due and proper care of the accused persons and not to inflict any kind of torture upon the accused persons and is further directed to make arrangement for medical checkup of the accused persons regularly by every 24 hours or as and when required, by observing due compliance of the guidelines given by the Hon'ble Apex Court in the case of D. K. Basu.

To, **01.10.2024** for production of the accused persons along with medical report.

The IO is hereby directed to remain present on the date fixed along with CD.

Dictated & Corrected by me.

Sd/- Sri, Somnath Chakraborti.
Judge, Special Court, N.D.P.S. Act,
Nadia at Krishnagar

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