

Present : Sri, Somnath Chakraborti.
NDPS 62/24 (R 62/24)
CNR-WBND010038302024
J.O, Code- WB00619

Order No.09 dated 09.09.2024

Accused namely **Rajib Biswas and Bapan Halder** are produced from correctional home.

I.O prays for 04(four) days PC in respect of accused namely **Rajib Biswas and Bapan Halder** for thorough further investigation.

Learned Advocate for the accused person namely **Rajib Biswas and Bapan Halder** files a petition praying for bail on the ground that the accused persons have been falsely implicated in this case and they have no intention to evade the justice. So they pray for bail on any terms and conditions.

Learned special P.P. raised objection and submitted before the Court that the accused persons were arrested along with **20,000 bottles of Phensedyl**. So he prays for rejection the petition praying for bail.

Heard. Considered.

From the CD it appears that **20,000 bottles of Phensedyl** were recovered from the possession of the accused which is a commercial quantity.

Considering the recovery of huge quantity of Phensedyl and also considering the provisions under section 37 of NDPS Act, the bail prayer stands **rejected**.

I.O. is present before the Court today along with a prayer for police remand for 04 (four) days of the above named accused persons and the said prayer was forwarded by **Dy. Supdt. Of police IUCAW** Krishnagar Police District, Nadia

Ld. Special P.P. is present and prays for remand of the accused persons for 04 days.

Perused the entire materials on record.

Considered.

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

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 police IUCAW** Krishnagar Police District, Nadia. Nadia. The P.C. has been prayed to facilitate the investigation. It reflects that the PC if allowed will help in unearthing the truth and will drive the investigation in right direction.

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

The prayer for P.C. is allowed for 02 (two) days.

The I.O. is allowed to take the said accused persons in police custody for 02 (two) 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 person and not to inflict any kind of torture upon the accused person and is further directed to make arrangement for medical checkup of the accused person 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, **11.09.2024** for production of the accused person along with medical report.

The IO is hereby directed to remain present on the date fixed along with CD. Copy forwarded to Supdt. Of KDCH. Nadia for information.

NDPS NO. 62/2024

Order No. 09(condt..)

Dated, 09.09.2024

IO namely SI Arup Kumar Pal has filed a petition in connection with Bhimpur PS Case no. 190/24 dated 14.07.2024 and prays for permission of allowing to access the seized mobile phone to unearth the truth or link with this crime of contraband articles and suppliers. Io is prayed for necessary order so he can access the seized mobile phone as per seizure list. At the time of interrogation of accused Rajib Biswas and Bapan Halder in order to find out the link with this crime of contraband articles and suppliers he came to know that to avoid mobile tracking by police accused Rajib Biswas and Bapan Halder used to communicate with the associates or suppliers through whats App and IMO.

Heard.

Considered both sides.

For the purpose of investigation and in order to find out the true fact, I think there is no bar to allow the petition.

IO is permitted to access the mobile phone as per law.

Let a copy of this Order be sent to IO.

Todate.

Dictated & Corrected by me.

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

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