

NDPS Case 118 of 2024 (R-118/24)
Present :Sri Chinmoy Chattopadhyay
JO Code-WB 00676
WBD010065582024

Order No. 30 dated 21-04-2026

The accused persons namely Mithun Biswas @ Gokul on CB is found present on call and is represented by his ld.advocate. Accused persons namely Feraul Sk, Jinnath Hossain, Vimal Roy and Azizul Haque are produced from correctional Home through VC and are represented by their ld.advocate. Ld.PP is present.

Today is fixed for ER of the process of attachment issued against accused persons namely Sahida Khatun Bibi and Fajlu Mia. No ER of the process of attachment issued against accused persons namely Sahida Khatun Bibi and Fajlu Mia is received.

Ld.counsel for the accused persons namely Feraul Sk, Jinnath Hossain, Vimal Roy and Azizul Haque submits that there is direction of Hon'ble High Court to split up the trial of the accused persons against whom the process is pending for execution.

Heard ld.Spl.PP. Perused the copies of order of Hon'ble High Court passed in CRM (NDPS)No.1398/2025 and CRM (NDPS)No.1674/2025. As per the order of Hon'ble High Court as passed in CRM (NDPS)No.1398/2025, steps have been taken to exhaust the process of law against the absconding accused persons.

On hearing submission of both the sides and taking into account the direction of Hon'ble High Court as passed in CRM (NDPS)No.1398/2025 and CRM (NDPS)No.1674/2025 and also considering the fact that prosecuting agency has failed to submit report of execution of process of attachment against accused Sahida Khatun Bibi and Fajlu Mia, I find no impediment to split up the trial in respect of accused persons namely Sahida Khatun Bibi and Fajlu Mia, for proper proceeding with the trial in accordance with law in respect of five other accused persons. Accordingly, the case against accused persons Sahida Khatun Bibi and Fajlu Mia is filed for the present.

Now, ld.counsel for accused persons namely Jinnath Hossain, Vimal Roy and Azizul Haque points out that the petition dt.18.04.2026 is pending for hearing and the application is taken up for that. It is simply submitted that they are quite innocent and did not commit any offence as alleged and lying in custody for a considerable period. It is submitted that they have their permanent home and hearth and if bailed out, there is no chance of their abscondance and accordingly, it is prayed to release them on bail on any condition.

Heard ld.Spl.PP who raises severe objection by submitting that the investigation has ended in submission of charge sheet, finding prima-facie allegation against the accused persons. It is submitted that the allegation against all the accused persons is severe in nature as huge quantity of Ganja was recovered and prosecution is ready to proceed with the trial in accordance with law and it is prayed to reject the prayer for bail.

Heard both the sides. Perused the case record and case diary.

Having considered the submission of both the sides and taking into account the nature and gravity of allegation relating to seizure of contraband material and the stage of the case, I am not inclined to allow the prayer of the bail and the same is rejected.

The hearing of this case is adjourned till 04.06.2026 for appearance of the accused Mithun Biswas @ Gokul and production of accused persons namely Feraul Sk, Jinnath Hossain, Vimal Roy and Azizul Haque and supply of copy as well as consideration of charge.

Prosecution is to take proper step accordingly.

Dictated & Corrected by me

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

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