

Present : Sri, Nirvan Khesong.  
NDPS 81/23 ( R 81/23)  
CNR-WBND010068762023  
J.O, Code- WB00662

Order No.23 dated 16.05.2024

Accused namely **Sajal Saha, Taposh Debnath, Samir Banik, Jugal Ghosh and Mitran Dey** are produced from correctional home as per intimation from KDCH Nadia vide message No, 143/A.B dated, 01.05.2024.

Accused namely **Debanjan Saha @ Sagar @ Sahid** is produce from central jail Guwahati, Assam.

IO filed charge sheet against all the FIR named accused persons prima-facis establishing the case under sections 21(C)/25/29 of NDPS Act.

Received a Charge Sheet no 184/2024 dated, 05.05.2024 Under Section 21(c)/25/29 N.D.P.S. Act against accused namely-

1. Debanjan Saha @ Sagar @ Sahid
2. Sajal Saha
3. Taposh Debnath
4. Samir Banik
5. Jugal Ghosh
6. Mitran Dey.

Seen the Charge Sheet.

Cognizance is taken

Let the Charge Sheet be kept with the record .

Learned Advocate for the accused Debanjan Saha files a bail petition and prays for bail.

Learned Advocate submits that the accused person has been falsely implicated in this case. He is not in any way connected with this case. He is lying in custody for long.

Learned Advocate for the accused Samir Barik also files a petition praying for bail on the ground that the accused is detained in custody since 21.11.2023 i.e. 180 days and he was taken to PC but no fruitful result or development has come out and in fact nothing was recovered from his possession. He has been falsely implicated in this case. So, he prays for bail on any terms and condition.

Learned Special PP opposes the prayer for bail submitting that huge quantity of Phensedyl were recovered from the possession of the accused persons and that it is a case of entire State racket of supply of Phensedyl.

Perused the materials on record and CD

It appears from the record that **24,900 bottles of Phensedyl** were recovered from the possession of the accused persons. The accused persons are involved in trafficking drugs in different State. Accused are the residents of different States. Charge sheet has been submitted against the accused persons.

Considering the quantity of seized contraband which is commercial quantity' and the provisions under section 37 of the NDPS Act and the serious impact of the offence upon the society, this Court is not inclined to grant bail to the accused, as prayed for.

Hence, the bail prayer is considered and **rejected**.

One report has been submitted by Superintendent, Central Jail, Guwahati wherein it is stated that the case being NDPS Case No.151/2023 is pending against one of the accused Debanjan Saha in the Court of Special Judge, Kamrup,(M) Guwahati, Assam and the next date is fixed on 27.05.2024 for framing of charge, So, his physical presence is necessary before that Court. So, necessary order may be passed for production of the accused before the Court of Special Judge, Kamrup,(M) Guwahati, Assam.

A copy of order of the said Court is also submitted. Let the same be kept with the record.

Perused all the documents.

The accused namely Debanjan Saha is produced today as per order of this court duly intimated to the Superintendent, KDCH, Nadia, West Bengal and Superintendent, Central Jail at Guwahati, Assam.

NDPS NO. 81/2023

Order No, 23(Condt..)

Dated, 16.05.2024

The accused is handed over to the escort party headed SI (UB)Abdul Rouf Mandal along with four(4) constables whom deployed by Central Jail, Guwahati to ensure his production before the Judge, Special Court, NDPS Act, Kamrup(M), Guwahati on 27.05.2024 for hearing on the point of charge. It is also directed that the accused to be detained in Central Jail, Gowhati. Escort party is directed to take all possible necessary security arrangement at the time of proceeding towards Kamrup(M), Guwahati and directed provide all the medical assistance, if necessary.

The Superintendent Central Jail, Guwahati, Assam is also directed to produce the accused on 06.06.2024 before this court.

Let a copy of order be sent to the Superintendent Central Jail, Guwahati, Assam for information and necessary action.

Let a copy be sent to the Superintendent, District Correctional Home, Nadia for information and necessary action.

Inform ADG Law and Order of West Bengal, Commissioner of Police Howrah, Jt. C.P(HQRS), Kolkata Police and SP, Krishnagar Police District, Nadia. Due to ensuing summer vacation on and from 27.05.2024 to 31.05.2024.

Fix, 30.05.2024/ 06.06.2024 for production and Copy Supply.

Dictated & Corrected by me.

Sd/- Nirvan Khesong.  
Judge, Special Court, N.D.P.S.Act,  
Nadia at Krishnagar  
In-Charge

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