

IN THE COURT OF SPECIAL JUDGE, 4TH COURT ALIPORE, NDPS ACT
Baruipur P.S Case No.375/2024 dtd.13.3.2024 U/s. 20(b)(ii)©/29 of the NDPS Act, 1985.

NDPS – 9/2024

State

Vs

Sabir Hossain Molla @ Santu

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14.3.2024

Accd person namely Sabir Hossain Molla @ Santu is produced today in c/w Baruipur P.S Case No.375/2024 dtd.13.3.2024 U/s. 20(b)(ii)©/29 of the NDPS Act, 1985 along with written complaint, formal FIR, S.L, search list, inventory list, option notice, notice to witnesses, memo of arrest, retention prayer, medical documents, memory chip and forwarding report with prayer for J.C.

Case is registered as NDPS-9/24. Let the documents be kept with the record.

The accd person is taken into custody and remanded to J.C till 28.3.2024.

Ld. Advocate Sri Bishnu Chakroborty files a fresh vakalatnama on behalf of the accd person namely Sabir Hossain Molla @ Santu. Let it be kept with the record.

I.O is present with C.D.

The I.O has prayed for retention of seized alamats marked A to Z, A1 to Z1 and A2 to M2 under packed, labelled and sealed condition in Baruipur P.S Malkhana . Prayer is considered and allowed.

Ext-H2 being vehicle No. W.B-16BA/6868 has not been produced before this court today.

Ext- L2 & M2 being sealed envelope containing memory card be kept with the record.

The I.O has also made a prayer for collection of sample from exhibit. Hd. ld. P.P as well as I.O.

The contention of the prosecution is that the seized alamats being 62kg 80 gms Ganja are narcotic drugs and psychotropic substance which is vulnerable to theft, substitution and etc and for that the order U/s. 52A is required and it is permissible vide notification No. GSR (38) E dtd 16.1.2015. It is also submitted that necessary permission is required to be given so that the seized narcotic drugs/ substance be disposed of as per sub section-1 by retaining the certificate, photographs and samples as per section- 52A (4) of the Act.

In the circumstances, a copy of this order be sent to the Ld. 7th J.M, Alipore 24 Pgs (S) for information and due compliance of the above mentioned provisions of the Act.

I.O of this case is directed to take proper steps before the Ld. J.M,7th Court Alipore in this connection.

A bail petition is filed on behalf of all the accd person by Ld. Advocate Bishnu Chakroborty on behalf of all the accd person and submitted that the accd person is a law abiding citizen and totally innocent and that he has been falsely implicated in this case . The defence has prayed for bail on any terms and conditions.

Hd ld. P.P and it has been submitted that the case involves 62 kg 80 gms Ganja being recovered from the possession of the accd person and that there is no scope for bail of the accd persons at this initial stage since the source as well as the associates of the arrested accd person are required to be verified and if the accd be enlarged at this stage, he may tamper with evidence as well as influence the witnesses and also may alert his associates.

Considering the quantity and nature of narcotic substance involved and that investigation has just commenced and further custodial investigation is required in view of materials so far available in C.D, prayer for bail stands rejected.

To 28.3.2024 for production of accd person from J.C and I.O report .

Return C.D.

Call for C.D.

D/corr by me,

4th ASJ, Alipore.