

Special NDPS Case No. 33 of 2026

CNR WBUD01-001557-2026

J.O. Code WB00883

Later /02

04.06.2026

1. Today, the Investigating Officer appears before this Court, carrying the Case Diary and placing a prayer seeking police custody of the accused, **Md. Sakim**, who has been produced before this Court along with the part the record.
2. I.O has produced seized Alamat ie 82 cartons containing total 9337 bottles of different coloured and different brand of cough syrup, ie BERRYSAFE, PHENSEDYL AND ESCODYL PLUS, ie **Exhibit-A to Exhibit-AAAD as mentioned in the forwarding report as well as in the seizure list.**
3. Learned Advocate from LADC, appearing on behalf of the accused is present.
4. No prayer for bail has been advanced on behalf of the accused at this stage.
5. The Learned Public Prosecutor-in-Charge has formally moved the application seeking police custody of the accused **Md. Sakim**, for a period of **14 (fourteen)** days.
6. Heard the Learned Public Prosecutor-in-Charge and the Learned Defence Counsel of LACD at length.
7. The case record and the Case Diary have been carefully perused.
8. Upon such perusal, it transpires that the prosecution case rests upon the alleged recovery of different brand of cough syrup, like BERRYSAFE, PHENSEDYL AND ESCODYL PLUS of total 9337 bottles, in total 82 cartons marked as **Exhibit-A to Exhibit-AAAD.**
9. The quantity of the alleged contraband, **being 9337 bottles of cough syrup**, is far in excess of the notified commercial quantity, thereby attracting the rigour and severity contemplated under the provisions of the NDPS Act.
10. The prayer for police custody has been duly forwarded by the Inspector-in-Charge, Dalkhola, Islampur Police Station, and bears the considered recommendation of the Sub-Divisional Police Officer, Dalkhola, Islampur Police District.
11. The requirement of such recommendation by a superior officer is not an empty ritual nor a ceremonial endorsement. Its purpose is to ensure that the extraordinary power of seeking police custody is invoked with deliberation and responsibility. The superior officer is expected to keep a vigilant watch over the conduct of the Investigating Officer, to supervise adherence to statutory safeguards, and to ensure that the liberty of the accused is not curtailed except in strict conformity with law during the period of police custody.
12. In the present case, the Sub-Divisional Police Officer, Dalkhola, Islampur Police District, exercises administrative and supervisory authority over the Investigating Officer, who is a Sub-Inspector of Police. His recommendation, therefore, carries the weight of lawful oversight and affirms that the prayer for police custody has passed through a higher level of scrutiny within the police hierarchy.
13. This apart a scanned copy bearing an endorsement purported to be of Add.. S.P, Islampur PD is also filed.
14. The Investigating Officer submits that fourteen days' police custody is necessary to unearth the wider network involved in illicit narcotic trafficking, to apprehend other key offenders, and to recover further contraband.
15. The statement of the accused, as reflected in the Case Diary, prima facie supports the need for custodial interrogation at this stage.
16. Offences under the NDPS Act demand a firm and vigilant approach, as drug trafficking inflicts grave harm upon society.
17. However, police custody being an exceptional measure, it must be limited to what is strictly necessary. Considering the totality of circumstances, **Ten (10) days'** police custody would suffice to advance the investigation.
18. Accordingly, police custody of the accused **Md. Sakim** is granted for a period of **Ten (10) days** from this day, subject to all statutory safeguards and constitutional protections being scrupulously observed.
19. Accused be produced before this Court on **14.06.2026.**
20. The Investigating Officer is peremptorily directed to observe, with unwavering fidelity, the mandates and safeguards ordained by the Hon'ble Apex Court in matters of police custody.
21. The period of custodial interrogation shall not transgress the bounds of constitutional discipline, and every procedural protection guaranteed to the accused shall be honoured in its true spirit.
22. The accused shall be subjected to medical examination at intervals of every twenty four hours during the subsistence of police custody, and the reports thereof shall be faithfully recorded.
23. The accused shall be produced before this Court on **14.06.2026**, unfailingly and without any deviation.
24. A copy be forwarded to the Sub-Divisional Police Officer, Dalkhola, Islampur Police District for information.

Dictd. & Cortd.

Judge, Spl. Court (NDPS Act)
1st Court, Raiganj, U/Dinajpur.

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