

**Spl. NDPS 27 of 2023**  
**CNR WBUD01-002899-2023**  
**JO Code No.WB00883**

**Order No.34**  
**12.02.2026**

- 1) Today is fixed for appearance + chemical examination report of the expert.
- 2) Both the accused persons are present and are being represented by their Ld. Lawyer.
- 3) Ld. P.P in charge files hazira.
- 4) No report of chemical expert is received.
- 5) It needs no reiteration that in a case of present description, report of chemical examination report plays a pivotal role to proceed further to adjudge the culpatabulous of the accused involved in this case.
- 6) It appears from the record that every occasion, this Court directed the I.O of this case to ensure submission of expert report as those directions were duly communicated with the seal of this Court and Office references but such efforts of this Court went in astray.
- 7) It further appears from the record that it was the month of August, 2024, when one of the accused persons Atul Kumar @ Tinku filed one application for getting back the custody of the seized articles as itemized in serial nos. 25, 26, 27 and 28 of the seizure list purported to be of 03.09.2023 and over such application I.O was directed to submit the report but no such report is submitted by I.O in share deficiencies of the order of this Court having official seal.
- 8) This Court is astounded to the said fact and each occasion when the order of this Court was communicated to the I.O, he showed a complete supine and arid attitude in complying with such directions and clearly made the order of this Court *brutum fulmen*.
- 9) In view of the above facts and circumstances, this Court finds it just and proper to bring this fact to the notice of Superintendent of Police of Islampur PD with a direction upon him to ensure with scrupulous compliance of the order of this Court by the I.O, without fail.
- 10) It is made clear that failure on the part of the I.O of investigating agency or any other superior officer of investigating agency, shall be viewed seriously and shall be considered as interference with Justice delivery system.
- 11) A copy of this order be forwarded to the Superintendent of Police of Islampur PD and to the I.O of this case namely, Jayanta Kumar Jha who was posted as SI of Police at Dalkhola PS on 27.02.2024.
- 12) Let the matter be listed on **10.03.2026** for submission of reports ( Chemical Examination Report and reports over the petition dated 08.08.2024 filed by the accused Atul Kumar @ Tinku).
- 13) Fixing **06.04.2026** for appearance and consideration of charge.

D/C by me

Judge, Special Court.,  
1<sup>st</sup> Court, Raiganj, Uttar Dinajpur.

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