

02.12.2021

Court No.35
Item No.07
(Disposed of)

Akd

CRA 404 of 2001

Md. Shakibur Rahman
Vs.
Narcotic Control Bureau

Mr. Binay Kumar Panda,
Ms. Puspita Saha.

... for the State.

None appears for the appellant, Md. Shakibur Rahman.

It appears that despite several opportunities given to the appellant, he could not be brought on record. I feel that the appellant is not interested to proceed with the instant appeal.

Mr. Binay Kumar Panda, learned Advocate, appearing for the State submits that the Court may pass necessary direction as the Court deems just after going through the case records.

This appeal has been preferred by the appellant, Md. Shakibur Rahman, being aggrieved and dissatisfied with the judgement and order of conviction and sentence passed by the learned Judge, Special Court under N.D.P.S. Act, Howrah in T.R. Case No. 8 of 1998.

The appellant, Md. Shakibur Rahman, was found guilty of commission of offence under Section 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 punishable under Section 21 of the Act. He was sentenced to suffer Rigorous Imprisonment for 10 (ten) years and to pay fine of Rs.1,00,000/-; in default, to suffer further Rigorous Imprisonment for one year. The period of detention undergone by him was directed to be set off.

I have minutely read the judgement passed by the learned Judge, Special Court under N.D.P.S. Act, Howrah.

I find that the findings recorded by the learned Judge are based on proper appreciation of evidence. However, I have waded through the evidence on record. I find that there is no illegality or irregularity in the judgement passed by the learned Trial Judge.

In view of the above, I find no reason or justification to

interfere with the judgement and order of conviction and sentence passed by the learned Court below.

Therefore, the appeal is dismissed.

What I find, this Court vide order dated 27th June, 2016 has observed on a report submitted by the Superintendent, Presidency Correctional Home, Alipore, that the appellant served out the entire sentence and was released from the said Correctional Home on 11th July, 2009.

Therefore, I do not feel that any further direction is necessary upon the learned Trial Judge to pass any order as to serving out any part of the sentence by the appellant.

The appeal is disposed of, accordingly.

Let the Lower Court Records be sent down along with a copy of this order to the learned Court below forthwith.

(Rabindranath Samanta, J.)