

02.05.2025

SL No. 6

Dd

CRMSPL/21/2025

**NARCOTICS CONTROL BUREAU
VS
BURHAMOOL SHEIKH
ALIAS BURHANOOL SHEIKH**

In Re : An application under Section 378(3) of the Code of Criminal Procedure, 1973 read with Section 419 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Mr. Kallol Mondal, sr. adv.

Ms. Rama Chakraborty, Advocates

... ... For the NCB/Appellant

1. Appellant seeks to prefer an appeal against a judgment of acquittal.
2. Learned senior advocate appearing for the appellant submits that, the accused was acquitted on the plea of non-compliance of Section 50 and 52A of the NDPS Act, 1985. He submits that, evidences produces at the trial establish that, there was a Gazette Officer with the raiding party, and since, there was no question of invoking Section 52A of the Act of 1985, in the facts of the present case, the same is not attracted.
3. In such circumstances, it would be appropriate to grant leave to the appellant to prefer an appeal from the impugned judgment of acquittal.
4. Appeal be filed within 30 days from date.
5. CRMSPL/21/2025 is accordingly **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)