

25.02.2025
rc/ct.no.34
Item No.31

CRR No. 1684 of 2024

**In the matter of : Md. Rashid Alam @ Md. Rasid Alam
.....Petitioner**

Mr. Avinaba Patra
Ms. Papia Bhowmick ...for the Petitioner

Mr. Debasish Roy, Ld. P.P.
Mr. Rudradipta Nandy
Ms. Sanjana Saha ...for the State

Heard learned counsels for the parties.

Perused the Case Diary.

The petitioner is aggrieved by the order dated March 18, 2024 passed by the learned Additional District and Sessions Judge, 4th Court, Malda, Special Judge under the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, "NDPS Act") in connection with NDPS Case No. 18 of 2024. The petitioner prayed for supply the Subscriber Details Record (in short, "SDR"), Call details Record (in short, "CDR"), Common Application Form (in short, "CAF"), tower location of his mobile phone and Closed-Circuit Television (in short, "CCTV") footage of English Bazar Police Station of a particular date which was turned down by the learned trial Court by the order impugned. The petitioner seeks liberty to approach the appropriate authority for preservation and production of the said evidence.

Opposing the prayer, learned counsel for the State submits that it appears from the seizure list that the mobile phone of the petitioner was not seized in course of investigation. Therefore,

question of preservation of CDR, SDR and tower location of the mobile phone does not arise.

Learned counsel candidly submits that the petitioner is entitled to the videograph of the entire search and seizure and may take appropriate steps before the learned trial Court for obtaining the same.

Since the mobile phone of the petitioner does not appear to have been seized, the question of preservation/production of CDR, SDR and tower location of the mobile phone by the investigating agency does not arise.

However, the petitioner is at liberty to approach the appropriate authority for preservation and production of the CCTV footages.

Since nothing further remains to be adjudicated in this application, the same being CRR No. 1684 of 2024 is disposed of.

Case Diary be returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)