

**Present: C.B. Gogoi, Special Judge,  
Sonitpur, Tezpur.**

**Spl. (NDPS) Case No. 14/2022**

**ORDER**

**01-11-2022**

Accused Md. Sayed Ali is present along with his learned counsel.

Accused through his learned counsel filed a petition No. 2351/2022 praying to allow him to remain on previous bail.

Seen the petition and heard. Prayer is allowed.

On perusal of the case record, it transpires that police allegedly seized 185.12 gram of ganja from the possession of accused Md. Sayed Ali which appears to be small quantity of drugs.

As per Section 36 (A)(i)(a) of NDPS Act all offences under this act which are punishable with imprisonment for a term of more than 3 (three) years shall be tried only by the Special Court constituted for the area. But, in the present case, the quantity of drugs falls within the purview of Section 20(b)(ii)(A) NDPS Act which is punishable with rigorous imprisonment for a term which may extend to 1 (one) year or with fine which may extend to Rs. 10,000/- or with both, the offence therefore, appears to be triable by Magistrate only.

In view of the above, the case record is forwarded to the court of Chief Judicial Magistrate, Sonitpur, Tezpur for trial/ disposal.

Accused Md. Sayed Ali is accordingly directed to appear before the court of Chief Judicial Magistrate, Sonitpur, Tezpur on **29-11-2022** to stand trial.

Special Judge,  
Sonitpur, Tezpur.