

बिहार सरकार  
गृह (विशेष) विभाग।

प्रेषक,

जितेन्द्र कुमार,  
सरकार के विशेष सचिव।

सेवा में,

पुलिस महानिदेशक,  
बिहार, पटना।

पटना, दिनांक-.....फरवरी, 2016

विषय:- माननीय सर्वोच्च न्यायालय में विचाराधीन क्रिमिनल अपील सं०-652/2012, भारत  
संघ बनाम मोहनलाल एवं अन्य मामले में पारित न्यायादेश के अनुपालन के संबंध में।

महाशय,

उपर्युक्त विषय के संबंध में निदेशानुसार कहना है कि क्रिमिनल अपील सं०-652/2012, भारत संघ बनाम मोहनलाल एवं अन्य में दिनांक-28.01.2016 को माननीय सर्वोच्च न्यायालय द्वारा पारित आदेश (प्रति संलग्न) के द्वारा निम्न निदेश दिए गए हैं:-

1. No sooner the seizure of any Narcotic Drugs and Psychotropic and controlled Substances and Conveyances is effected, the same shall be forwarded to the officer in-charge of the nearest police station or to the officer empowered under Section 53 of the Act. The officer concerned shall then approach the Magistrate with an application under Section 52A(ii) of the Act, which shall be allowed by the Magistrate as soon as may be required under sub-Section 3 of Section 52A, as discussed by us in the body of this judgment under the heading 'seizure and sampling'. The sampling shall be done under the supervision of the magistrate as discussed in paras 13 and 14 of this order.

2. The central Government and its agencies and so also the State Governments shall within six months from today take appropriate steps to set up storage facilities for the exclusive storage of seized Narcotic Drugs and Psychotropic and controlled Substances and Conveyances duly equipped with vaults and double locking system to prevent theft, pilferage or replacement of the seized drugs. The central Government and the State Governments shall also designate an officer each for their respective storage facility and provide for other steps, measures as stipulated in the standing Order No. 1/89 to ensure proper security against theft, pilferage or replacement of the seized drugs.

3. The Central Government and the State Governments shall be free to set up a storage facility for each district in the States and depending upon the extent of seizure and store required, one storage facility for more than one districts.

4. Disposal of the seized drugs currently lying in the police maalkhans and other places used for storage shall be carried out by the DDCs concerned in terms of the directions issued by us in the body of this judgment under the heading 'disposal of drugs'.

अतः अनुरोध है कि माननीय सर्वोच्च न्यायालय द्वारा पारित उपर्युक्त आदेश को सभी संबंधितों के बीच प्रसारित करते हुए इसका दृढ़ता से अनुपालन सुनिश्चित किया जाए तथा कंडिका-2 में अंकित storage facility की व्यवस्था की जाए।

अनु०-यथोक्त।

विश्वासभाजन,

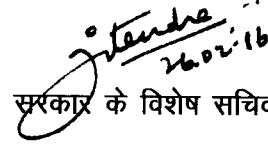
ह०/-  
सरकार के विशेष सचिव।

फ़ैक्स

ज्ञापांक— ...../ पटना, दिनांक—.....फरवरी, 2016  
प्रतिलिपि:— सभी पुलिस अधीक्षक, बिहार को सूचनार्थ एवं आवश्यक क्रियार्थ प्रेषित।

ह0/—  
सरकार के विशेष सचिव।

ज्ञापांक— .....1931...../ पटना, दिनांक—.....26.....फरवरी, 2016  
प्रतिलिपि:— आई० टी० प्रबंधक, गृह विभाग, बिहार, पटना को सूचनार्थ एवं आवश्यक क्रियार्थ प्रेषित।

  
सरकार के विशेष सचिव।