

MEKANISME PENYIMPANAN DAN PEMUSNAHAN BARANG SITAAN NARKOTIKA (STUDY KASUS PADA KEJAKSAAN NEGERI BADUNG)

Muhammad Rifqi Alkautsar

Program Studi Ilmu Hukum Fakultas Hukum Universitas Mahasaraswati
Denpasar

Email: rifqyalk11@gmail.com

ABSTRACT

The increasing number of narcotics cases in the jurisdiction of the Badung Prosecutor's Office each year has resulted in an increasing pile of confiscated narcotics at the Badung Prosecutor's Office. In practice, the receipt of narcotics confiscated objects is carried out by the Prosecutor at the time of handing over the files, suspects and also narcotic evidence which are received directly and sorted in its completeness by the narcotics evidence officer at the Badung Prosecutor's Office. In carrying out the storage and destruction of confiscated goods, the prosecutor referred to Article 44 of the Criminal Procedure Code, Perka BNN No.7 of 2010, and Article 30 of Law no. 16 of 2004 concerning the Prosecutor's Office. The confiscated objects were stored in the Badung Prosecutor's Office's Evidence Storage Room and after obtaining legal force they were destroyed in the Badung Prosecutor's Office yard. This study uses empirical methods by linking library materials with conditions in the field.

Keywords; Narcotics, Destruction, Storage, Prosecutor's Authority.

ABSTRAK

Meningkatnya angka perkara narkoba di wilayah hukum Kejari Badung setiap tahunnya mengakibatkan bertambah pula tumpukan benda sitaan narkoba di Kejari Badung. Dalam pelaksanaannya, penerimaan benda sitaan narkoba dilakukan oleh Jaksa pada saat pelimpahan berkas, tersangka dan juga barang bukti narkoba yang diterima langsung dan disortir kelengkapannya oleh petugas barang bukti narkoba Kejari Badung. Dalam pelaksanaan penyimpanan dan pemusnahan barang sitaan, jaksa berpatokan pada Pasal 44 KUHP, Perka BNN No.7 Tahun 2010, serta Pasal 30 UU No. 16 Tahun 2004 Tentang Kejaksaan. Benda sitaan tersebut disimpan di Ruang Penyimpanan Barang Bukti Kejari Badung dan setelah mendapat kekuatan hukum tetap dimusnahkan di halaman kantor Kejari Badung. Penelitian ini menggunakan metode empiris dengan mengaitkan bahan pustaka dengan keadaan dilapangan.

Kata Kunci; Narkoba, Pemusnahan, Penyimpanan, Kewenangan Kejaksaan.