

25.01.2023

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rejected

C.R.M. (NDPS) No. 108 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure arising out of Kaliachak Police Station Case No. 457 of 2022 dated 06.05.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Khairul Sk. petitioner

Mr. Arindam Jana

Mr. Jakir Hossain

... for the petitioner

Mr. Saibal Bapuli, learned APP

Mr. Bibaswan Bhattacharya

... for the State

Learned Counsel for the petitioner submits no narcotic substance was recovered from the petitioner. He renews his prayer for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner is the owner of the vehicle which was used for transportation of narcotics.

We have considered the materials on record. Petitioner is the owner of the vehicle which was used for transportation of narcotics. Co-accuseds who are on bail do not stand on the same footing with the petitioner.

Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

