

04.09.2023
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 1476 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.08.2023 in connection with Dhubulia Police Station Case No.201 of 2022 dated 25.05.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.38 of 2022)

And

In Re: ***Abdul Sabur Mondal***

... .. Petitioner

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

... .. for the petitioner

Mr. Sanjay Bardhan
Mr. Palash Ch. Majhi

... .. for the State

1. It is submitted on behalf of the petitioner that he used to work in Kerala. It is further submitted petitioner had no control over the vehicle. Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioner was the registered owner of the vehicle which was used to transport narcotics.
3. We have considered the materials on record. Petitioner is the registered owner of the vehicle. It is alleged that he in conspiracy with co-accused who had control and custody of the vehicle transported narcotics above commercial quantity. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

