

09.01.2024
Sl. No.14
akd
[Rejected]

C. R. M. (NDPS) 25 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.12.2023 in connection with Airport Police Station Case No.173 of 2023 dated 10.08.2023 under Sections 21(c)/25/28/29 of the NDPS Act.

And

In Re: ***Halim Kazi @ Abdul Halim Kazi***

... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioner

Mr. Suman De

... .. for the State

1. It is submitted on behalf of the petitioner that he was in custody in another case when the present case was registered. Hence, he did not have control and dominion over the vehicle which was used to transport narcotics. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioner has criminal antecedents. He along with his family members were dealing in narcotics. His vehicle was used to transport commercial quantity of narcotics.
3. We have considered the materials on record. Petitioner has criminal antecedents. He was in custody in connection with a similar case. In spite of detention, petitioner through his family members continued illegal transaction in drugs. His vehicle manned by his family members was intercepted and narcotics i.e. 90 cartons of *phensedyl syrup* was recovered. Another large consignment of *phensedyl syrup* was recovered from the house of the petitioner. In view of the aforesaid incriminating materials, we are of the opinion this is not a fit case to grant bail to the petitioner.

4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)