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sdas
rejected

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 777 of 2023 dated 19.08.2023 under Sections 21(c)/29 of the NDPS Act.

And

....for the petitioner

..... for the State

2. Learned Counsel for the State opposes the bail prayer and submits vehicle was transferred in the name of the petitioner. He utilised the vehicle for transporting narcotics above commercial quantity.

3. We have considered the materials on record. Letter issued by the finance company show the vehicle was on a hire purchase arrangement with one Manuar Hossain. When Manuar failed to pay instalments the vehicle was recovered and transferred in the name of the petitioner in December, 2021. Vehicle was apprehended with narcotics in August, 2023. From the aforesaid materials it appears petitioner had control and custody over the vehicle at the time when

it was being used for transporting narcotics above commercial quantity. Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner at this stage.

4. The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)