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rejected

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hemtabad Police Station Case No. 154 of 2023 dated 26.07.2023 under Section 21(c) of the NDPS Act.

Mr. Golam Mostafa
Mr. Milan Kumar Maity
Mr. Samirul Sardar
....for the petitioner

1. Learned Counsel for the petitioner submits he had transferred the motor cycle which was used to transport narcotics to one Abdul Rahaman. He had no control over the vehicle at the time of occurrence. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits petitioner and Abdul Rahaman conspired to transport narcotics.

3. We have considered the materials on record. Petitioner is the registered owner of the motor cycle which was used to transport narcotics. He in collusion with the said Abdul Rahaman transported narcotics. Statement of his wife shows petitioner had close business ties with the said Abdul Rahaman. These circumstances give an impression that the purported transfer deed is a sham to screen the petitioner who is the owner

of the offending vehicle. Under such circumstances we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)