

11.11.2024
Sl. No.52
akd
[Rejected]

C. R. M. (NDPS) 1727 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 03.10.2024 in connection with Kasba Police Station Case No.517 of 2023 dated 30.12.2023 under Sections 20(b)(ii)(c)/58(2)/29 of the NDPS Act. (NDPS Case No.1 of 2024)

And

In Re: ***Imran Sheikh @ Imran Seikh @ Raja***

... .. Petitioner

Mr. Navanil De
Mr. Srinjan Ghosh

... .. for the petitioner

Ms. Faria Hossain .. Id. Addl. Public Prosecutor
Md. Sayeed Khan

... .. for the State

1. It is submitted on behalf of the petitioner he is in custody for more than ten months. Co-accused have been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioner had put a black rexine bag in the motorcycle at the time of recovery.
3. We have considered the materials on record. RPF personnel recovered the narcotics from the motorcycle. Petitioner made a judicial confession he had placed the black rexine bag containing narcotics in the motorcycle. Complicity of co-accused transpires from the said confessional statement which appears to be improbable with regard to their involvement. Hence, they have been enlarged on bail. Petitioner has not retracted the confession. He does not stand on the same footing with the co-accused who have been granted bail. In this backdrop, 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)