

**HIGH COURT OF TRIPURA
AGARTALA**

BA 50 of 2023

1. Ahmed Ali

S/O Late Ali Akbar of Noagaon, Basbhati Muslim Para of Nagar District
Noagaon of State of Assam.

2. Smt. Laki Begam

W/O Shri Alamgir Hussain of Telkajla Kalamiah Para, P.S. Melagarh,
Sepahijala, Tripura.

....Applicant(s)

Versus

The State of Tripura

....Respondent(s)

For the Applicant(s)	:	Mr. Somik Deb, Sr. Advocate Mr. P. Chakraborty, Advocate
For the Respondent(s)	:	Mr. S. Debnath, Addl. P.P.

HON'BLE MR. JUSTICE ARINDAM LODH

Order

05/12/2023

Heard Mr. Somik Deb, learned senior counsel assisted by Mr. P. Chakraborty, learned counsel appearing for the accused-applicants, Ahmed Ali and Mst. Laki Begam. Both of them had been arrested in connection with crime No.2023 MLG 073(NDPS) registered on the basis of *suo moto* FIR at Melaghar P.S. under Sections 20(b)(ii)(c)/25/27A/29 of the NDPS Act 1985. Also heard Mr. S. Debnath, learned Addl. P.P. appearing for the respondent-State.

On perusal of the FIR and case diary, it is found that on the basis of a secret information, the police personnel of Melaghar Police Station raided the house of one Alamgir Hussain and on their arrival, Alamgir Hussain and another person fled away, but they found Ahmed Ali, the applicant no.1 and Mst. Laki Begam, applicant no.2 herein in that house.

The police seized 1 k.g of cannabis which was found in the house of Alamgir Hussain and a compressed machine to process the semi dry cannabis and one weighing machine. The police also seized Rs.40,000/- in cash in the house of Alamgir Hussain. As such, Section 27A of the NDPS Act has also been added. Both the accused-applicants were interrogated at

the spot. The applicant no.1 i.e. Ahmed Ali confessed that he came to the house of Alamgir Hussain to help him in packing and managing the contraband articles. He was found to be a man of Assam. Mst. Laki Begam also confessed that her husband stored the contraband substances suspected to be semi dry cannabis in order to sell it and the machinery equipment found are used for compressing the cannabis substances.

I find there is no such allegation or *prima facie* proof to convince the Court that Mst. Laki Begam herself is involved in selling or trading cannabis. She being the spouse of Alamgir Hussain has to stay in the same house due to marital obligations. In view of this, I am inclined to release her on bail, but I am not inclined to release the applicant no.1 Ahmed Ali on bail.

In the light of above, Mst. Laki Begam, the applicant no.2 herein is released on bail by furnishing a bail bond of Rs.1,00,000/- (Rupees one lakh) with one surety of like amount to the satisfaction of the learned special Judge, Sepahijala District, Sonamura with the condition that she will not try to tamper the evidence in any manner whatsoever and she will assist the Investigation Officers in all respects. Further, Mst. Laki Begam shall not leave the jurisdiction of court of learned Special Judge without prior permission of the Court.

In terms of above, the bail application is allowed partly to the extent that Mst. Laki Begam is released on bail subject to the aforesaid condition. However, the bail application of the applicant no.1, that is, Ahmed Ali stands rejected.

Accordingly, the instant bail application is disposed of.

JUDGE