

GAHC010027882023



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : Bail Appln./524/2023**

NIRU DAS  
W/O SONMAN ALI  
C/O BABUL DEKA  
B.G. ROAD, P.S. NOONMATI  
DIST. KAMRUP (METRO), ASSAM

VERSUS

THE STATE OF ASSAM  
REP. BY THE PP, GOVT. OF ASSAM

**Advocate for the Petitioner : MR T MAZUMDAR**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

**ORDER**

**Date : 27.02.2023**

Heard Mr. T. Mazumdar, learned counsel for the petitioner. Also heard Mr. D.P. Goswami, learned APP appearing for the State.

2. The petitioner, who was arrested on 22.12.2022, is seeking regular bail under section 439 Cr.P.C. in connection with Noonmati P.S. Case No. 524/2022, under sections 20(b)/27A of NDPS Act.

3. The learned APP has produced the case diary and opposed the prayer for bail.

4. The case diary reveals that the shop of the petitioner was raided by the police and recovered 60 nos. of plastic packets containing suspected ganja weighing 754 grams. On the same raid, another person was arrested with 646 grams suspected ganja.

5. Although the case diary contains incriminating materials against the petitioner, as the petitioner has already suffered custody of 67 days, the Court is of the considered opinion that further custodial interrogation of the petitioner may not be necessary. Hence, the Court is inclined to grant bail to the petitioner, namely, Smti. Niru Das in connection with the aforesaid case on furnishing bail bond of Rs.50,000/- with two solvent sureties of like amount to the satisfaction of the learned Special Judge, Kamrup (Metropolitan), Guwahati. Out of the two sureties, one should offer his/her immovable property as security for grant of bail, having sufficient value to cover the bail amount.

6. Bail is granted on the following conditions:

- I. The petitioner shall make herself available to the police or any other investigating agency or Court in the present case as and when required.
- II. The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case

so as to dissuade him from disclosing such facts to Court or to any police officer or tamper with the evidence. She shall not, in any manner, try to overawe or influence or intimidate the prosecution witness.

III. The petitioner shall not obstruct the smooth progress of the investigation/trial.

IV. The petitioner shall not misuse her liberty in any manner.

V. The petitioner shall appear before the I/O within 10 (ten) days from the date of her release and he shall continue to appear once in every 15 (fifteen) days till her appearance is dispensed with or charge-sheet is filed, whichever is earlier.

VI. If the petitioner does not comply with the conditions of bail, it would be open for the I/O to approach the jurisdictional Court and apply for cancellation of bail.

7. This application stands disposed of.

8. Case diary is returned.

**JUDGE**

**Comparing Assistant**