

GAHC040000542024



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

Case No. : BA/2/2024

Bamang Mania
Son of Late Bamang Chakap, resident of Sekey Colony, PO Itanagar, Papumpare
District, AP

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : L Kurdu

Advocate for the Respondent : P P of AP

BEFORE
HON'BLE MRS. JUSTICE MALASRI NANDI
ORDER

07.02.2024

Heard Mr. L. Kurdu, learned counsel for the applicant and Mr. T. Ete, learned Additional Public Prosecutor for the State.

This is an application under Section 439 of the CrPC, praying for grant of bail to the accused, namely, **Smti. Bamang Yain** in connection with Itanagar P.S. Case No. 292/2023 under Section 21(b) of the NDPS Act.

It is submitted by the learned counsel for the applicant that the accused applicant is detained in the custody, since his arrest i.e. dated 13.12.2023, for last 56 days till today. Intermediately, suspected heroin was recovered from the possession of the accused applicant. The learned counsel for the applicants prays that, considering the period of detention, the accused applicant may be granted bail.

The learned Additional Public Prosecutor submits that substantial part of the investigation is completed but FSL Report is yet to be received.

After hearing the submissions of the learned counsels appearing for the parties and on perusal of Case Diary, it is noticed that awaiting FSL Report for submission of Charge-sheet.

Considering the submissions of the learned counsel for the applicant that the accused applicant was arrested on 13.12.2023 for the alleged offence on being in possession of suspected heroin of around 9gm and it seems that substantial part of the investigation is completed and on considering the period of detention, I deem it appropriate to grant bail to the accused applicant. Accordingly, bail is granted to the accused, **Smti. Bamang Yain**, shall be released on bail on furnishing a bail bond of Rs. 50,000/ (Rupees fifty Thousand) with two sureties of like amount to the satisfaction of the Special Judge (NDPS), Yupia, Papum Pare, District, Arunachal Pradesh with the following conditions:

- (i) That the accused applicant shall not leave the jurisdiction of the learned Special Judge (NDPS), Yupia, without prior written permission from him or her.
- (ii) That the accused applicant 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 her from disclosing such facts to the Court or to any police officer.

In view of the above, this Bail Application stands disposed of.

JUDGE

Comparing Assistant