

GAHC040002732024



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

Case No. : AB/37/2024

Nima Dorjee
Son of Shri Leiki Norbu, a resident of Rangthagjor Village, Kalaktang, PO and PS
Kalaktang, West Kameng District, Arunachal Pradesh

VERSUS

The State of AP
represented by the PP

Advocate for the Petitioner : Muk Pertin, Senior Advocate

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 12-03-2024

Heard Ms T. Y. Bhutia, the learned counsel for the petitioner
and Mr. J. Tsering, the learned Public Prosecutor for the State of
Arunachal Pradesh.

This is an application filed under Section 438 of the Cr.P.C in

respect of Rupa P.S. Case No. 15/2023 under Sections 20(C) and 25 of the NDPS Act.

On 03.10.2023, police received an information that a vehicle bearing registration No. AS-01-BK-7373 was carrying some Narcotic drugs. The aforesaid vehicle was accompanied by another vehicle bearing registration No. AS-01-DV-1112. Both the vehicles were coming towards Rupa, police stopped both the vehicle thought they initially tried to escape. The police recovered 110kgs of suspicious *Ganja* from the vehicle No. AS-01-BK-7373. Persons, namely, Sanjay Basumatary and Dinesh Mosahari were arrested by the police.

The case diary reveals that the present two petitioners worked as middleman and nothing was received from them.

This Court is of the opinion that since no drugs were recovered from the present petitioner, he does not deserve to be detained in custody. Therefore, the pre-arrest bail application of Shri Nima Dorjee is allowed.

It is hereby directed that in the event of arrest of the petitioner, Shri Nima Dorjee in connection with Rupa P.S. Case No. 15/2023, he shall be released on bail on furnishing a bail bond of Rs.50,000/-with a surety of like amount to the satisfaction of the arresting authority.

The bail application stands disposed of.

Case diary shall be returned.

JUDGE

Comparing Assistant