

GAHC010005142024



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

Case No. : Bail Appln./103/2024

CHIRANJEEB SARKAR
S/O CHITRARANJAN SARKAR,
R/O VILL- ROTOWA CENTER, P.S. GINGIA, DIST. BISWNAH, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : TUN RAJKHOWA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 24-01-2024

1. Heard Ms. T. Rajkhowa, learned counsel for the petitioner *Chiranjeeb Sarkar*.
2. The petitioner has filed this application under Section 439 of the Code of Criminal Procedure, 1973 (CrPC for short) with prayer for bail as he is behind bars since 06.12.2023 in connection with Gingia Police Station Case No.

110/2023 under Sections 21(b)/27A of the NDPS Act.

3. The petitioner was arrested in connection with this case when his tenant Jahir Ali was apprehended with possession of contraband. It is stated that seizure list is marked as Annexure-3 and it is apparent from the seizure list that the contraband was not recovered from the possession of the petitioner.

4. Also heard Mr. D.P. Goswami, learned Additional Public Prosecutor for the respondent State of Assam.

5. I have considered the submissions at the bar. It is submitted at the bar that the petitioner is the owner of the tenanted premises and the accused Jahir Ali was dealing with drugs from the tenanted premises. I have scrutinized the case diary. Investigation has progressed to a considerable extent. The contents of the case diary are not brought to the fore as investigation is still under progress. I have considered the submissions at the bar that the petitioner is a local resident and he is not a flight risk. It is submitted that he shall abide by any bail conditions if imposed upon him.

6. Considering all aspects, the petitioner is enlarged on bail on furnishing a bail bond of *Rs.50,000/- (Rupees Fifty Thousand)* with a suitable surety of like amount to the satisfaction of learned Special Judge, Biswanath under the condition that:

The petitioner shall cooperate with the investigation, failing which bail order shall stand cancelled.

7. In the above terms Bail Application stands disposed of.

JUDGE

Comparing Assistant