

GAHC010005182024



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

Case No. : Bail Appln./157/2024

LALCHAN ALI @ LALSAN ALI
S/O- MOHAMMAD ALI, VILL- GAGALMARI, P.S. BARPETA, DIST- BARPETA,
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY P.P., ASSAM

Advocate for the Petitioner : MR. S RANA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 29-01-2024

- 1.** Heard Mr. S. Rana, learned counsel for the petitioner, Lalchan Ali @ Lalsan Ali.
- 2.** The petitioner has filed this application under Section 439 Cr.PC, with prayer for bail as he is in jail since 10.12.2023, in connection with Barpeta PS Case No. 570/2023, under Sections 21(b) NDPS Act.

3. Heard Mr. M.P. Goswami, learned Additional Public Prosecutor for the State of Assam.

4. I have considered the submissions at the Bar that there are incriminating materials against the petitioner. The allegation against the petitioner is that he was found in conscious possession of suspected heroin weighing 18.73 grm without the packet and 20.31 grm with the plastic packet. I have considered the submission that the petitioner is willing to co-operate with the trial. The petitioner is a local resident and he has pledged to abide by any bail condition, if imposed upon him.

8. Considering all aspects, petition is allowed. The petitioner is enlarged on bail of Rs. 50,000/-, with a suitable surety of the like amount, to the satisfaction of the Special Judge (NDPS), Barpeta under the condition that:-

- i. The petitioner shall refrain from such activities with which he is alleged;
- ii. the petitioner shall not leave the jurisdiction of the trial Court without prior permission till completion of trial; and
- iii. the petitioner shall not tamper with the evidence.

On breach of any bail conditions, bail order shall stand cancelled. Bail Application stands disposed of.

Send back the Case Diary.

JUDGE

Comparing Assistant