

GAHC010008692024



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

**Case No. : Bail Appln./150/2024**

MAMTUL ALI AND 3 ORS  
S/O SAHANUR ALI  
VILL- UDIANA BALAGAON  
P.S. RANGIA  
DIST. KAMRUP

2: MD. SAFIQUUL ALI  
S/O MD. ISLAM ALI  
VILL- ISLAMPUR  
RANGIA  
P.S. RANGIA  
DIST. KAMRUP

3: MD. AYNUL HOQUE  
S/O MR. FAZIR ALIR/O BALA BANGAON  
P.S. RANGIA  
DIST. KAMRUP

4: RAJU ALI  
S/O MAHTAB ALI  
R/O VILL- GHOPLA  
P.S. KAMALPUR  
DIST. KAMRU

VERSUS

THE STATE OF ASSAM  
REP. BY THE PP, ASSAM

**Advocate for the Petitioner : MS. T SOM**

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

**BEFORE  
HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**18.04.2024**

Heard Ms. T. Som, learned counsel appearing for the accused petitioners as well as Ms. A. Begum, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioners, namely, **(i) Mamtul Ali (ii) Md. Safiqul Ali (iii) Md. Aynul Hoque and (iv) Raju Ali**, have prayed for grant of bail in connection with **STF P.S. Case No.17/2023** under Sections **18(b)(c)(25)/29 of NDPS Act.**

It is submitted by the learned counsel for the petitioners that the petitioners are detained in judicial custody for last 162 days since their arrest i.e. on 08.11.2023. She further submitted that they are no way connected with the alleged offence as per FIR. Learned counsel for the petitioner submitted that substantial part of investigation is completed as the contraband has already been recovered and prayed that considering the length of detention bail may be granted to the petitioners.

Ms. A. Begum, learned Additional Public Prosecutor has submitted that on perusal of the case diary it appears that Mamtul Ali was called on that day by other three accused to Amingaon point and other three accused persons came from Manipur in the said vehicle along with the contraband. So, considering the length of detention, bail may be granted to Mr. Mamtul Ali. It is further submitted by Ms. Begum, that the main accused i.e. Aitul Ali has already been arrested in connection

with this case.

I have considered the submission of the learned counsel for both the parties. I have also perused the case diary. It reveals from the case diary that the driver Mamtul Ali is the elder brother of the main accused Aitul Ali, who is the financier of illegal trading of Narcotic substances. Though, he was earlier absconding but subsequently, he was arrested by police. It also appears from the case diary that all the four accused persons were travelling in the alleged vehicle from which commercial quantity of ganja was recovered.

Accordingly, prayer for bail is rejected at this stage.

Send back the case diary.

In terms of the above, this bail application stands disposed of.

**JUDGE**

**Comparing Assistant**