

GAHC010014802024



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

Case No. : Bail Appln./242/2024

BAJRANGI SAH
S/O NARAYAN SAH
CURRENT RESIDENT OF LAHORIJAN, NEAR GUPTA ENTERPRISE P.S.
KHATKHATI IN THE DISTRICT OF KARBI ANGLONG, ASSAM, PERMANENT
RESIDENT OF SONALI BAZAR, P.S. AND DISTRICT KHAGRAYA, BIHAR

VERSUS

THE STATE OF ASSAM
REP. BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR SARFRAZ NAWAZ

Advocate for the Respondent : PP, ASSAM

B E F O R E
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

07.02.2024

1. Heard Mr. S. Nawaz, learned counsel appearing for the petitioner as well as Mr. D.P. Goswami, learned Additional Public Prosecutor for the State respondent.

2. This application under Section 439 Cr.P.C, is preferred by the petitioner, namely, Bajrangi Sah, who is in judicial custody since 18.12.2023 in connection with NDPS Case No. 02/2024 arising out of Khatkhathi P.S. Case No. 87/2023, registered under Sections 21(b)/25/29 of NDPS Act.

3. I have considered the submissions at the Bar with circumspection. It is submitted at the Bar that the charge-sheet has been laid against the petitioner and the co-accused has already been granted bail.

4. The learned Addl. P.P. has raised serious objection against the bail of the petitioner.

5. The allegation against the petitioner is that the co-accused of the petitioner was found in possession of 9.20 grams of heroin along with cash of Rs. 10,49,700/-.

6. I have considered the submissions of the petitioner that the prime accused has already been enlarged on bail by the learned trial Court. The petitioner is willing to co-operate with the trial. He has also pledged to abide by any bail conditions if imposed on him.

7. Considering all aspects, petition is allowed.

8. The petitioner shall be enlarged on bail of Rs. 50,000/- with a suitable surety of the like amount to the satisfaction of the learned trial Court,

under the conditions that:-

- (i) the petitioner shall refrain from such activities with which he is alleged,
- (ii) the petitioner shall not leave the territorial jurisdiction of the Court without prior permission of the Court, till completion of trial.

On breach of any bail conditions, bail order shall stand cancelled.

Accordingly, bail application stands disposed of.

Send back the case diary.

JUDGE

Comparing Assistant