

GAHC010032912024



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

Case No. : Bail Appln./440/2024

ARJUN KUMAR RAY
S/O LATE VIJENDRA RAY
R/O W/NO. 09, RUSTAMPUR
P.S. RAGHOPUR
DIST. VAISHALI, BIHAR

2: VIJAY RAY
S/O LATE VIMAL RAY
R/O W/NO. 09
RUSTAMPUR
P.S. RAGHOPUR
DIST. VAISALI BIHAR.

3: SANJAY RAY
S/O LATE VIMAL RAY
R/O W/NO. 09
RUSTAMPUR
P.S. RAGHOPUR
DIST. VAISALI
BIHAR

VERSUS

THE UNION OF INDIA
REPRESENTED BY STANDING COUNSEL, NF RAILWAYS.

Advocate for the Petitioner : MR M HOQUE

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

Date : 17-02-2024

Heard Mr. M. Hoque, learned counsel for the petitioners Sri Arjun Kumar Ray, Sri Vijay Ray and Sri Sanjay Ray.

2. The petitioners have filed this application under Section 439 of the Code of Criminal Procedure, 1973 along with an amended cause title. It is submitted on behalf of the petitioners that they are languishing in the jail and they are booked under Sections 20(b)(ii)B/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 in connection with Bongaigaon GRPS Case No. 138/2023.

3. The allegation against the petitioners is that they were in possession of 2.2 kgs of ganja.

4. I have considered the submissions at the bar with circumspection. It is submitted on behalf of the petitioners that they will cooperate with the investigation as well as with the trial if the final report is submitted against them. Investigation may have presumably progressed to a considerable extent as this investigation has commenced on 21.12.2023.

5. Considering all aspects and considering the length of detention, petition is allowed.

6. The petitioners are enlarged on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty Thousand) each with a local surety of like amount to the satisfaction of the learned trial Court under the conditions that:

i) The petitioners shall appear before the Investigating Officer after every fifteen days till the charge sheet is submitted and the petitioners shall cooperate with the trial if the final report is submitted against them.

- ii) *The petitioners shall refrain from such activities with which they alleged.*
- iii) *The petitioners shall not jump the bail*

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

In the above terms observations, this Bail Application stands disposed of.

JUDGE

Comparing Assistant