

GAHC010045122024



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

Case No. : Bail Appln./637/2024

LUNGUNLEN CHONGLOI
S/O- LATE LUNKHOKAI CHONGLOI, RESIDENT OF CH EBENEZER, P.S.
LEIMAKHONG, DISTRICT- SENAPATI, MANIPUR, PINCODE- 795106

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR. FIRUZ KHAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

10/04/2024

Heard Mr. F Khan, learned counsel for the petitioner and Mr. M P Goswami, learned Additional Public Prosecutor, Assam for the State.

2. The petitioner, namely, **Sri. Lungunlen Chongloi**, S/O- Late Lunkhokai Chongloi has filed this application under Section 439 Cr.P.C. seeking bail in **Dillai Police Station Case No. 12/2024** registered under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985,

corresponding to G.R. No. 41/2024, in which he was arrested on 10.02.2024 and is in custody since then.

3. Brief facts of the case as can be seen from the FIR dated 09.02.2024 as well as the Forwarding Report dated 10.02.2024 is that on 09.02.2024 at about 08:45 PM during routine Naka Checking duty on National Highway No. 36 in front of Laharijan Police Post one Night Super bearing Registration No. AS01-EC-7664 was detained and was searched and during such search in the bus, one packet of suspected Cannabis (Ganja) weighing 1.930 Kgs. concealed in a black colour polythene packed and wrapped with white colour polythene was recovered from the possession of the petitioner, who as a passenger was seating on Seat No. 17 in the said Night Super.

4. Today is the 60th day of arrest of the petitioner.

5. Mr. M P Goswami, learned Additional Public Prosecutor, Assam though received the Case Diary, has submitted that till date, Charge-Sheet could not be filed due to non-availability of the relevant report from the Forensic Laboratory pertaining to the suspected Cannabis (Ganja) recovered from the possession of the petitioner.

6. Considering the above, the petitioner is entitled for default bail in said Dillai Police Station Case No. 12/2024 corresponding to G.R. No. 41/2024.

7. Accordingly, the petitioner, namely, **Sri. Lungunlen Chongloi** is allowed to be released on bail on furnishing a bail bond of Rs.75,000/- with 2 (two) local sureties each of the like amount, to the satisfaction of the learned Special Judge (NDPS), Karbi Anglong, on the following terms and conditions that the petitioner—

- (i) shall appear before the Investigating Officer of said Dillai Police Station Case No. 12/2024 on or before 15.05.2024 and thereafter, as and when he is required for necessary investigation of the case;
- (ii) shall not leave the territorial jurisdiction of the Dillai Police Station without the written permission from the learned Special Judge (NDPS), Karbi Anglong.
- (iii) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of this case so as to dissuade him/her from disclosing such fact to the Investigating Officer;

(iv) shall not hamper with the investigation or tamper with the evidence of this case;

(v) shall not indulge in any offence while remaining on bail;

8. It is made clear that failure on the part of the petitioner to comply with any of the terms and conditions as specified above, the bail granted to him in the aforesaid Dillai Police Station Case No. 12/2024 shall stand automatically vacated.

9. This bail application accordingly stands allowed.

10. Return the Case Diary forthwith.

JUDGE

Comparing Assistant