

GAHC010045212024



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

Case No. : Bail Appln./698/2024

AMIR HUSSAIN AND ANR.
S/O MD. AJMAN
R/O SORA MAMANG LEIKAI
P.S. KAKCHING,
DIST. KAKCHING, MANIPUR

2: MD. SALAU RAHMAN
S/O MD. ALAUDDIN
R/O SORA MAMANG LEIKAI
P.S.KAKCHING DIST. KIKCHING
MANIPUR

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR M A ISLAM
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

24.04.2024

Heard Mr. M. A. Islam, learned counsel appearing for the accused petitioners as well as Mr. R. J. Baruah, learned Addl. P.P., Assam appearing for the State

respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioners, namely, **Md. Amir Hussain and Md. Salau Rahman**, has prayed for grant of bail in connection with **Khatkhathi P.S. Case No.9/2022** under Sections **21(c)/24/29 of NDPS Act and the corresponding NDPS Case No. 29/2022 under Section 21(C)/29 of NDPS Act.**

The matter relates to recovery and seizure of 1587.98 grams of heroin from the possession of the accused petitioners.

It is submitted by the learned counsel for the petitioners that the petitioners are detained in judicial custody for more than two years and only two witnesses have been examined. So, considering the incarceration, bail may be granted to the petitioner.

On the other hand, Mr. R. J. Baruah, learned Additional Public Prosecutor has submitted that all the witnesses have been examined and the case is now fixed for re-examination of Investigating Officer and trial is about to complete within a short time. So, Bail prayer of the petitioner may not be considered at this stage

In view of above, bail prayer of the petitioner stands rejected.

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

Return the case diary.

JUDGE

Comparing Assistant