

GAHC010046232024



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

Case No. : Bail Appln./656/2024

SOFIUL ISLAM @ MD. SOFIUL ISLAM
S/O- SAMAD ALI, RESIDENT OF VILL- NO. 1 BHANDARA, P.S. MANIKPUR,
DIST. BONGAIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR. M KHAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 15-03-2024

Heard Mr. M Khan, learned counsel for the petitioner as well as Mr. BB Gogoi, learned APP for the State.

2. The petitioner, namely, Sofiul Islam @ Md. Sofiul Islam who was

arrested on 20.01.2024 in connection with Bijni PS case no.10/2024 registered under section 279 IPC read with section 21(b) of the NDPS Act is seeking regular bail by filing this application under section 439 Cr.P.C.

3. It is submitted by the learned counsel for the petitioner that the petitioner is the driver of the vehicle and a small quantity of suspected heroin was recovered from the vehicle. It is also submitted that the petitioner was arrested on 20.01.2024 and he has been behind the bar for 55 days. Considering the length of the detention, bail may be granted to the petitioner. The learned APP has produced the case diary and submits that the FSL report is not available with the case diary.

4. In view of the above, this Court is inclined to release the petitioner, named above, on bail on furnishing a bail bond of Rs.50,000/- (Rupees fifty thousand only) with two suitable surety of the like amount to the satisfaction of the learned Special Judge, Bijni.

5. The direction for bail is further subject to the conditions that the accused petitioner:

1. Shall not leave the territorial jurisdiction of learned Special Judge, Bijni without prior written permission from him/ her.
2. Shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

6. Return the case diary.
7. Bail application stands disposed of.

JUDGE

Comparing Assistant