

GAHC010046432024



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

Case No. : Bail Appln./628/2024

MD. DEYARUL HOQUE
S/O- KHALIL HOQUE, R/O- DAKHINGAON, KAHILIPARA, P. S. - DISPUR,
DISTRICT KAMRUP (M), ASSAM,

VERSUS

THE STATE OF ASSAM
REP BY PP ASSAM

Advocate for the Petitioner : MR. S M MOLLAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 19-03-2024

Heard Mr. S.M. Mollah, learned counsel for the petitioner. Also heard Mr. B.B. Gogoi, learned Additional Public Prosecutor for the State.

This is an application made under **Section 439 Cr.P.C.**, seeking bail by the petitioner, namely, **Md. Deyarul Hoque**, in connection with **Basistha P.S. Case No. 50/2024**, registered under **Sections 379/411, IPC** read with

Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

It is submitted by the learned counsel for the petitioner that the petitioner was arrested on 20.01.2024 and since then he has been detained in jail hazot. In the meantime, he has completed mandatory period of 60 days in jail hazot and charge-sheet has not yet been submitted. Hence, he is entitled for default bail.

Mr. Gogoi, learned Additional Public Prosecutor for the State has confirmed that charge-sheet has not yet been submitted in this case.

I have considered the submissions made by the parties.

In view of above, the petitioner, named above, shall be released on bail in connection with **Basistha P.S. Case No. 50/2024**, registered under **Sections 379/411, IPC** read with **Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985**, on furnishing bail bond of **Rs.50,000/-** with **two suitable sureties** of the like amount, to the satisfaction of learned Special Judge, Kamrup (M), Guwahati.

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

- (a) shall not leave the territorial jurisdiction of learned Special Judge, Kamrup (M) without prior written permission from him/her;
- (b) shall not hamper with the investigation, or tamper with the evidence of the case;
- (c) 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.

(d) shall appear before the Investigating Police Officer once in a week for six weeks after his release on bail or as and when called upon by the Investigating Police Officer till the investigation of the case is completed.

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

Return the case diary.

JUDGE

Comparing Assistant