

GAHC010059682024



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

Case No. : Bail Appln./851/2024

SMTI. KAJAL DEVI AND 2 ORS.
W/O MANOJ MANDAL
VILL- SIMRAHA
P.S. TIKA PATTY
DIST. PURNIA BIHAR

2: SMTI KUSUM DEVI
W/O BIJAY MANDAL
VILL- SIMRAHA
P.S. TIKA PATTY
DIST. PURNIA
BIHAR

3: PUNAM DEVI
W/O PRAMOD MANDAL
VILL- SIMRAHA
P.S. TIKA-PATTY
DIST. PURNIA
BIHAR

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. M I HUSSAIN
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

24.04.2024

Heard Mr. M. I. Hussain, 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, **(i) Smti Kajal Devi (ii) Smti Kusum Devi and (iii) Punam Devi**, have prayed for grant of bail in connection with **Bongaigaon GRPS Case No.19/2024** under Sections **20(b)(ii)B/29 of the NDPS Act**.

It is submitted by the learned counsel for the petitioners that the petitioners have been detained in judicial custody for last 60 days since their arrest i.e. on 24.02.2024. Learned counsel for the petitioner further has submitted that as they have completed the statutory period of detention and charge-sheet has also not yet been submitted, so the petitioners are entitled for default bail.

Mr. R. J. Baruah, learned Additional Public Prosecutor has submitted that bail may be granted to the petitioners as charge-sheet has not yet been submitted in the case and they have completed the statutory period of detention.

In view of the submission of learned counsel for both the parties and considering the length of detention, this Court is of the view that further custodial interrogation of the accused-petitioners is not necessary in the interest of investigation of the case.

Accordingly, the petitioners, named above, shall be released on bail, on furnishing bail bond of **Rs.50,000/- each** with **two suitable sureties each** of the like amount out of which one should be Government employee of the State of Assam, to the satisfaction of learned **Special Judge, Bongaigaon, Assam**.

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

- (a) shall not leave the territorial jurisdiction of learned Special Judge, Bongaigaon, Assam 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.

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

JUDGE

Comparing Assistant