

GAHC010062582024



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

Case No. : Bail Appln./909/2024

SURAJ KUMAR YADAV
S/O NIRMAL YADAV
R/O VILL- BARETA P.S. GOGRI
DIST. KHAGARIA (BIHAR)
VERSUS
THE STATE OF ASSAM
REP BY THE LD. PP, ASSAM

Advocate for the Petitioner : MS. K MALAKAR
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 24.04.2024

Heard Mr. K. Malakar, learned counsel for the petitioner and Mr. DP Goswami, learned Addl. PP for the State respondent.

This is an application under Section 439 Cr.P.C., seeking bail by the petitioner namely Sri Suraj Kumer Yadav in connection with Bongaigaon G.R. P.S. Case No. 21/2024 under Section 20(b)(ii)B of NDPS Act.

The learned counsel for the petitioner has submitted that the petitioner has been detained in custody for last 59 days since the date of his arrest on 26.02.2024 and the quantity of contraband is intermediate quantity. Considering the length of detention, petitioner may be

enlarged on bail.

The learned Additional Public Prosecutor, on the other hand, has fairly submitted that the charge sheet has not been submitted and the case diary is received without FSL report.

Considering the length of detention, prayer for bail is allowed. It is directed that the accused/ petitioner shall be released on bail on furnishing a bond of Rs. 1,00,000/- (Rupees one lakh) with two suitable sureties of like amount out of which one should be Govt. employee of the State of Assam, to the satisfaction of the learned Special Judge, Bongaigaon in connection with the aforementioned case.

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

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

Return the case diary.

JUDGE

Comparing Assistant