

GAHC010068942024



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

Case No. : Bail Appln./968/2024

MD. ABDUL KALAM AND ANR.
SON OF ABDUL KADIR RESIDENT OF SUPTU KARONG P.S LILONG
DISTRICT THOUBAL, MANIPUR

2: MD. NAWAS SARIF
SON OF MD. BANIYAMIN RESIDENT OF LILONG CHINGKHAM MAMANG
P.S LILONG DISTRICT THOUBAL
MANIPU

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. S MUNIR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 08.04.2024

Heard Mr. S. Munir, learned counsel for the petitioners and Mr. R.R. Koushik, learned Addl. Public Prosecutor for the State respondent.

This is an application under Section 439 Cr.P.C., filed by the petitioners

namely, Md. Abdul Kalam and Md. Nawas Sarif, praying for bail, who were arrested on 18.02.2024 in connection with Dillai P.S. Case No. 13/2024 under Sections 21(b)/29 of the NDPS Act.

Heard both sides.

Perused the case diary.

It is submitted by the learned counsel for the petitioners that the petitioners have been detained in custody for last 50 days since their arrest on 28.02.2024. Considering the length of detention, the accused/ petitioners may be enlarged on bail.

The learned Additional Public Prosecutor has produced the case diary without FSL report and submits that considering the length of detention, the prayer for bail may be considered.

In view of the above, this court is inclined to grant bail to the petitioners.

Accordingly, the accused/ petitioners shall be released on bail on furnishing a bond of Rs. 50,000/- each with a suitable surety of like amount each to the satisfaction of the learned Special Judge, Karbialong, Diphu in connection with the said case.

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

- (a) shall not hamper with the investigation and tamper with the evidence of the case; and
- (b) 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.

- (c) The petitioners shall not leave the territorial jurisdiction of the Special Judge, Karbianglong, Diphu without prior written permission from him/ her.

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

Return the case diary.

JUDGE

Comparing Assistant