

GAHC010079832024



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

Case No. : Bail Appln./1151/2024

RAVISH KUMAR
S/O SRI VIJAY YADAV,
VILL.- GANGIYA WARD NO. 10, P.O.- KHARGI TIRASI, P.S.- GANUAR, DIST.-
KHAGARIA, STATE- BIHAR.

VERSUS

THE STATE OF ASSAM
REP. BY THE P.P., ASSAM.

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

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

03.05.2024

Heard Mr. M. Khan, learned counsel appearing for the accused petitioner as well as Mr. R. R. Kaushik, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Ravish Kumar**, has prayed for grant of bail in connection with **Bongaigaon G.R.P.S. Case No.27/2024** under Sections **20(b)(ii)B of NDPS Act**.

The matter relates to recovery and seizure of 15.4 Kgs of ganja from the possession of the accused petitioner.

It is submitted by the learned counsel for the petitioner that the accused petitioner has been languishing in judicial custody for last 59 days since his arrest on 05.03.2024 and the contraband items recovered from his possession falls under intermediate quantity. Considering the length of detention, prayer for bail may be considered.

Mr. R. R. Kaushik, learned Additional Public Prosecutor has submitted that the contraband recovered from his possession falls under intermediate quantity. However, bail may be considered to the petitioner on the ground of length 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-petitioner is not necessary in the interest of investigation of the case.

Accordingly, the petitioner, named above, shall be released on bail, on furnishing bail bond of **Rs.1,00,000/-** with **two suitable sureties** of the like amount out of which one of the surety must be a government employee of Assam, to the satisfaction of learned **Special Judge, Bongaigaon**.

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 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