

GAHC010059482024



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

Bail Appln./1195/2024

BOGI MAYUM ISAUDDIN
S/O BOGI MAYUM SIRAJ AHAMED
R/O IRONG CHESABA MAYAI LEIKAI
P.S. MAYANG IMPHAL

DIST. THOUBAL
STATE- MANIPUR.

VERSUS

THE STATE OF ASSAM
REP BY THE PP
ASSAM

Advocate for : MR S M ABDULLAH P
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 30.04.2024

Heard Mr. S.M.Abdullah P, learned counsel for the petitioner as well as Mr. R.J.Baruah, learned Addl. P.P., Assam for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Bogi Mayum Isauddin** has prayed for grant of bail in connection with **North Guwahati P.S.**

Case No.33/2024 under Sections 21(b)/29 of the NDPS Act.

The learned counsel for the petitioner submits that the petitioner was arrested for recovery of intermediate quantity of narcotics drugs from his possession and he has been in judicial custody for 57 days since he was arrested on 06.03.2024. As such, considering length of detention, bail may be considered.

The learned Addl.P.P. has produced the case diary without the FSL report.

Having heard the learned counsel for the parties and on perusal of the case diary and the averments made in this petition, it appears that the petitioner is in judicial custody for 57 days today and as such, considering length of detention, this Court is of the considered opinion that further detention of the petitioner in the interest of investigation is not warranted.

Accordingly, it is provided that the petitioner named above shall be released on furnishing bail bond of **Rs. 50,000/-** with two sureties of like amount to the satisfaction of the learned **Special Judge (NDPS Act) Kamrup (R) Amingaon**, subject to the following conditions;-

- (i) The petitioner shall not leave the territorial jurisdiction of learned Special Judge, Kamrup without prior written permission from him/her;
- (ii) That the petitioner shall cooperate with the Investigating Officer as and when required;
- (iii) That out of the two sureties, one must be a government servant of the State of Assam;
- (iv) That the petitioner 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 Police Officer or the Court.

Violation of any condition shall tantamount to cancellation of bail.

This disposes of the bail application.

Return the case diary.

JUDGE

Comparing Assistant