

GAHC010083952024



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

Case No. : Bail Appln./1228/2024

MOTIAR RAHMAN
S/O- LATE ABDUL GONI VILLAGE- MONAKOSA P.S.- KALGACHIA DIST-
BARPETA, ASSAM

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 MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

28.05.2024

Heard Mr. S. Munir, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor for the State.

This is an application made under Section 439 Cr. P.C. seeking bail by the accused/petitioner, namely, **Motiar Rahman**, who was arrested on 04.04.2024 in

connection with Latasil P.S. Case No. 32/2024 registered under Sections 21(b)/29 of NDPS Act.

The allegation made in the F.I.R. is that the intermittent quantity of narcotic i.e. heroin was recovered from the possession of the petitioner which is an Auto rickshaw driver.

The case diary is received. Perused the same.

Perusal of the case diary, it is seen that the investigation has already been completed and the investigating officer is awaiting for the report from the FSL. The petitioner has already been in custody for last 55 days inasmuch as statutory period to complete the investigation is 60 days.

Considering the matter in entirety, more particularly the stage of investigation and the period of detention, this Court is of the view that the further custody of the petitioner may not be necessary in this case.

Accordingly, it is directed that the petitioner, named above, be released on bail in connection with the case aforementioned, on his furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one surety of like amount to the satisfaction of the learned Special Judge, NDPS, Kamrup (M) at Guwahati, with the following conditions.

- (a) Shall not leave the territorial jurisdiction of learned Special Judge, NDPS, Kamrup (M) at Guwahati, without prior written permission from him/her;
- (b) Shall not hamper with the investigation of the case and 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 office.

(d) Shall not involve himself with similar nature of offence;

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

Return back the case diary.

JUDGE

Comparing Assistant