

GAHC010087462024



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

Case No. : Bail Appln./1376/2024

INAMUL ALI
S/O AMZAD ALI
R/O KALITAPARA
P.S. SIPAJHAR
DIST. DARRANG, ASSAM
PIN-784145

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR Z HUSSAIN, MR. M HOQUE

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 10.09.2024

Heard Mr. Z. Hussain, learned counsel for the petitioner. Also heard Mr. B.B. Gogoi, learned Additional Public Prosecutor for the State.

2. By this application filed under section 483 of the Bharatiya Nagarik

Suraskha Sanhita, 2023, the accused petitioner namely, **Inamul Ali**, has prayed for bail in connection with **NDPS Case No. 03/2024(arising out of North Guwahati P.S. Case No. 111/2023)** under Section 21(c)/29 of NDPS Act, pending in the court of learned District and Sessions Judge, Kamrup, Amingaon.

3. The learned counsel for the accused/petitioner submits that the petitioner has been detained in custody for last one year since his arrest on 11.09.2023. It is also submitted that nothing was recovered from the possession of the petitioner. It is further submitted that out of nine witnesses, only three witnesses were examined by the prosecution. In view of the acquisition spelt out against the petitioner as well as considering the period of detention, bail may be granted to the petitioner.

4. On the other hand, Mr. Gogoi, learned Additional Public Prosecutor has submitted that out of 9(nine) witnesses, 3(three) witnesses have already been examined. There is no delay in proceeding of the case. Considering the fact as well as the nature of the offence, bail may not be granted to the petitioner at this stage of trial.

5. I have considered the submissions made by the learned counsel for the parties. I have also perused the scanned copy of trial court record including the evidence of the witnesses recorded so far.

6. It appears that the case was initiated on 11.09.2023. Subsequently, charge-sheet has been submitted on 18.01.2024. Accordingly, charge was framed on 24.02.2024. It also appears that out of nine witnesses, three witnesses have already been examined. Apparently, there is no delay in

proceeding of the case. Situated thus, interference by this Court is not permissible at this stage.

7. Hence, prayer for bail is **rejected**. However, endeavor is made by the trial court to dispose of the matter early.

8. In view of above, the bail application stands disposed of.

JUDGE

Comparing Assistant