

GAHC010091812024



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

Case No. : Bail Appln./1338/2024

MS. PRATIMA DEBBARMA
D/O SRI SURESH DEBBARMA, R/O VILL- SRI HARE BARI, TARAPUR. P.S.-
EAST NOAGAON, DIST-WEST TRIPURA, TRIPURA

VERSUS

STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S MITRA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

12.06.2024

Heard Mr. S. Mitra, learned counsel for the petitioners. 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, **Ms. Pratima Debbarma**, who was arrested on 07.03.2024 in connection with Lumding GRPS Case No. 18/2024 registered under Sections 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The learned counsel for the petitioner referring to the FIR and forwarding report contends that the alleged contrabands were found in packets and while measuring the

weight, the weight of the packets has also been included and thus, the alleged contraband has been treated as of commercial quantity whereas, without the weight of the plastic covers, the quantity will fall under intermediate quantity and therefore, the petitioner is entitled for bail inasmuch as the petitioner has been in custody since 07.03.2024.

The case diary is received. Perused the same.

From the material, it is seen that 16 packets suspected to be cannabis has been recovered from a trolley bag and it is alleged that the said trolley bag has been recovered from the possession of the present petitioner. The weight of the recovered cannabis has been measured as 20.500 Kg.

The material so far collected by the investigating officer is suggestive of recovery of the alleged narcotic contraband from the possession of the present petitioner inasmuch as the material also suggests that along with contrabands, the passport of the petitioner was also seized. Sufficient incriminating materials are available against the petitioner.

Accordingly, the contention of the learned counsel for the petitioner cannot be taken note of at the stage of consideration of bail.

Considering the material available on record and the stage of investigation, this Court is not inclined to grant bail to the petitioner at this stage.

Accordingly, same stands dismissed.

While parting with the record, it is made clear that the observation made in this order is for the purpose of consideration of the bail application only.

Returned back the case diary.

JUDGE

Comparing Assistant