

GAHC010092152024



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

Case No. : Bail Appln./1344/2024

RATAN SARKAR
S/O LATE KRISHNA GOPAL SARKAR, VILL- DAKHIN LUMDING, WARD NO.
13, P.S.-LUMDING, DIST- HOJAI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. R MAJUMDAR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 14.05.2024

Heard Mr. J.U.N.M.Laskar, 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 petitioner, namely, **Ratan Sarkar** has prayed for grant of bail in connection with **Langting PS Case No. 04/2024 (GR No.52/2024)** under Sections 20(b) (ii) (B)/29 of the NDPS Act.

The learned counsel for the petitioner submits that intermediate quantity of suspected ganja was recovered from the possession of the present petitioner. It is also submitted that the petitioner is languishing in judicial custody for last 59 days and as such, considering length of

detention, petitioner may be released on bail.

The learned Addl.P.P. on the other hand has produced the case diary and submits that the case is pending for FSL report.

Having heard learned counsel for the parties and on perusal of case diary, it appears that intermediate quantity of suspected ganja was recovered from the possession of petitioner. However, considering all the matter in its entirety and length of detention, this Court is inclined to grant bail to the petitioner.

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, Dima Hasao, Haflong** subject to the following conditions;-

- (i) The petitioner shall not leave the territorial jurisdiction of learned **Special Judge, Dima Hasao, Haflong** without prior written permission from him/her;
- (ii) 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 Court.

Violation of any condition shall tantamount to cancellation of bail.

This disposes of the bail application.

Return the case diary.

JUDGE

Comparing Assistant