

GAHC010095702024



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

Case No. : Bail Appln./1387/2024

IKRAMUL ALI
S/O IMAN ALI
R/O VILL- SIALMARI, KUMARTUP,
P.S. SADAR
DIST. NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. P RAHMAN, MR S ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 16-08-2024

Heard learned counsel Mr. S Islam for the petitioner and learned Additional Public Prosecutor, Assam Mr. M.P. Goswami for the respondent State.

2. A status report was called for relating to the status of the pendency of the proceeding.
3. This Court has received the status report, which clearly reflects that the petitioner's prayer for discharge was rejected and charge was framed against the petitioner. The order dated 14.08.2024 clearly reflects an elaborate discussion by the trial Court under which charge has been framed against the petitioner under Section 22(c)/29/27 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
4. Learned Additional Public Prosecutor has raised objection stating that as there were incriminating materials, charges have been framed against the petitioner. The order dated 14.08.2024 clearly reflects that charges have been framed against the petitioner Ikramul Ali @ Ikka.
5. I have also scrutinized the status report. The petitioner has prayed for bail in connection with Special NDPS Case No. 109(N)/2024 arising out Nagaon Police Station Case No. 87/2024 as he is behind bars since 29.01.2024. The embargo under Section 37 of the NDPS Act comes into play. At this juncture, there appears to be no justified ground to consider the prayer for bail. The trial is at its nascent stage. Not a single witness has been examined, after framing of charges.
6. The allegation against the petitioner is that he is complicit in transporting commercial quantity of contraband, which includes 144 capsules of Dicyclomine Hydrochloride Tramado and Acetaminophen capsules. At this juncture, there appears to be no justified ground to grant bail to the petitioner.
7. Petition stands rejected at this stage.

8. In terms of the above, this Bail Application stands disposed of.

JUDGE

Comparing Assistant