

GAHC010118382024



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

Case No. : Bail Appln./1715/2024

MOKSED MIAH
S/O LT. ABDUL SHOHID,
R/O VILL- KALODEWANIR GOAN, P.S. MANKACHAR, DIST. SOUTH
SALMARA MANKACHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : Mr. R. Islam

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 20.06.2024

Heard Mr. R. Islam, learned counsel for the petitioner. Also heard Mr. R. J. Baruah, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 439 of the Code of Criminal Procedure, 1973, praying for grant of bail to the accused/petitioner, who has been arrested in connection with Golakganj P.S. Case no. 89/2024, under Sections 20(b)(ii)(B) NDPS Act, 1985.

Case Diary not received.

However, it is submitted by Mr. R. Islam, learned counsel for the petitioner, that the statutory period of 60 days has already been completed and hence, considering the length of detention, the accused/petitioner may be enlarged on bail.

In this context, Mr. Baruah, learned Additional Public Prosecutor, has submitted that he made an enquiry with the I.O. of the present case, who informed him that the FSL report is yet to be collected and hence, the Charge-Sheet is not yet prepared.

Considering the submissions made by the learned counsels for both sides and also considering the length of detention already undergone by the accused/petitioner, I find it a fit case to extend the privilege of bail.

Accordingly, it is provided that on furnishing a bond of Rs. 20,000/- (Rupees twenty thousand) only with one surety of like amount to the satisfaction of the learned Special Judge, Dhubri, the accused/petitioner, namely, Moksed Miah, be enlarged on bail, subject to the following conditions:

- (i) that the petitioner shall make himself available for interrogation by the Investigating Officer as and when required;
- (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 or to any police officer; and
- (iii) that the petitioner shall not leave the jurisdiction of the learned Special Judge, Dhubri, without prior permission.

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

JUDGE

Comparing Assistant