

GAHC010118992024



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

Case No. : Bail Appln./1744/2024

PRASENJIT NAMA
S/O PINKU NAMA
R/O NORTH BRAJAPUR, P.S. BISHALGARH,
DIST. SEPAHIJALA, TRIPURA.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR B KAUSHIK, S ACHUMI, K BHARALI, MR. S HAZARIKA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

20.09.2024

Heard Mr S Hazarika, learned counsel for the petitioner, Sri Prasenjit Nama, who has filed this application under Section 483 of the BNSS, 2023, with prayer for bail as he is behind bars since 28.11.2023, in connection with Special NDPS Case No. 25 of 2022, arising out of Bazaricherra PS Case No. 41/2022, under Sections 22(C)/29 of the NDPS Act, 1985.

2. Heard Mr M P Goswami, learned Additional Public Prosecutor for the State of Assam.
3. The allegation against the petitioner is that charge sheet has been laid against him in connection with offence under Sections 22(C)/29 of the NDPS Act, 1985. The allegation is that 4000 bottles of cough syrup were being transported by the accused named in the FIR.
4. I have considered the submissions at the Bar.
5. It is submitted at the Bar that 13 out of 15 witnesses have already been examined.
6. It clearly reflects that this case has not been procrastinated either by the prosecution or by the Court, infringing the liberty of the petitioner.
7. The rigour of Section 37 of the NDPS Act, restricts the bail petition. At this juncture, I am not inclined to grant bail to the petitioner.
8. Petition stands rejected at this stage.

JUDGE

Comparing Assistant