

GAHC010123632024



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

Case No. : Bail Appln./1810/2024

CHANDAN DAS @ SAMBHU
S/O SRI GAUR CHANDRA DAS
R/O RANGPUR PART-IV,
P.S. SILCHAR
DIST. CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. P J SAIKIA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 19.07.2024

Heard Mr. P. J. Saikia, learned counsel for the petitioner. Also heard Mr. K. K. Parasar, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail to the accused/ petitioner, who has been arrested in connection with Silchar P.S. Case No. 416/2024, under Sections 20(b)(ii)(B) of the NDPS Act.

The case was fixed today for production of the Case Diary; however, Mr. Parasar, learned Additional Public Prosecutor, from the instruction of the I.O., has submitted that till date, the Charge-Sheet has not yet submitted.

In this regard, Mr. Saikia, learned counsel for the petitioner, has submitted that the petitioner has already completed statutory period of 60 days behind the bar and hence, he may be allowed to go on default bail.

Considering the submissions of learned counsels for both sides and also considering the fact that the I.O. has failed to file the Charge-Sheet in spite of the lapse of statutory period of 60 days, this Court is inclined to allow the accused/petitioner to go on 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, Cachar, Silchar, the accused/petitioner, namely, Chandan Das @ Sambhu, 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, Cachar, Silchar, without prior permission.

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

JUDGE

Comparing Assistant