

GAHC010131682024



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

Case No. : Bail Appln./1945/2024

MINTU LAL
S/O SURINDER KUMAR (SINGH)
RESIDENT OF VILLAGE BAHADURPUR, CHINAUTA, PO KAWADH, DIST
VAISAHALI, BIHAR

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR. M KHAN, K MAINUDDIN, MS J AKTAR
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

06.08.2024

Heard Mr. M. Khan, learned counsel appearing for the accused petitioner as well as Mr. R. J., learned Addl. P.P., Assam appearing for the State respondent.

By filing this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Mintu Lal**, has prayed for grant of bail in connection with **Special (Nar) 02(BGN)/2024 arising out of Bongaigaon GRPS Case No.104/2023** under Sections **20(b)(ii)(C)/29 of NDPS Act.**

It is submitted by the learned counsel for the petitioner that the accused

petitioner has been languishing in judicial custody for last 306 days since his arrest on 05.10.2023 and out of seven witnesses, five witnesses have already been examined. However, considering the length of detention, petitioner may be enlarged on bail.

On the other hand, Mr. R. J. Baruah, learned Additional Public Prosecutor has submitted that out of seven witnesses, five witnesses have already been examined and PW Nos. 3 and 4 have implicated the accused petitioner to be involved in the case. It is further submitted that at this stage, the bail of the petitioner may not be considered.

I have heard the learned counsel for both the parties also perused the trial court record.

Admittedly out of seven witnesses, five witnesses have already been examined. The case was initiated on 04.10.2023 and charge was framed on 24.01.2024 and after that five witnesses were examined.

As such, at this stage, it cannot be said that there is procedural delay on the part of the trial court. Hence, this Court is not inclined to grant bail to the petitioner in the fag end of the trial.

However, the trial court is directed to dispose of the matter within two months from the date of receipt of this order.

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

JUDGE

Comparing Assistant