

GAHC010132452024



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

Case No. : Bail Appln./1935/2024

SANDARJYA DAS
S/O ASHOK DAS
VILL- AGIA PT.II (ULUBARI)
P.O. AND P.S. AGIA
DIST. GOALPARA, ASSAM PIN-783101

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M R KHANDAKAR,

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

02.08.2024

Heard Mr M R Khandakar, learned counsel for the petitioner, Sandarjya Das, who has filed this application under Section 439 CrPC, with prayer for bail as he is behind bars since 07.06.2024, in connection with Boko PS Case No. 260/2024, corresponding to GR No. 315(K)/2024, under Section 21 (b) of the NDPS Act.

2. Also heard Mr M P Goswami, learned Additional Public Prosecutor for the State of

Assam.

3. It is submitted on behalf of the petitioner that the petitioner is behind bars for 57 days and he will be prejudiced if he is not granted bail today.
 4. The learned Additional Public Prosecutor has submitted that the Case Diary was called for, but the IO has prayed for time and has sent a WT praying for time to forward the Case Diary of the aforementioned case.
 5. I have considered the submissions at the Bar with circumspection.
 6. The petitioner was caught while he was in possession of intermediate quantity of heroin and thus, he is booked under Section 21(b) of the NDPS Act.
 7. I have considered the length of detention. The petitioner is behind bars for 57 days.
 8. Considering the length of detention, petition is allowed. The petitioner is enlarged on bail of Rs 50,000/- (Rupees Fifty thousand), with one suitable surety of the like amount to the satisfaction of the jurisdictional Court, under the conditions that:
 - (i) the petitioner shall refrain from such activities with which he is alleged,
 - ii) the petitioner shall cooperate with the remaining part of investigation, and
 - (iii) the petitioner shall not leave the jurisdiction of the Court without prior permission, and
- On breach of any of the bail conditions, bail order shall automatically stand cancelled.

9. Bail Application stands disposed of.

JUDGE

Comparing Assistant