

GAHC010132752024



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

**Case No. : Crl.Pet./797/2024**

TRIPLE I ACHUMI TRADERS  
REGISTERED OFFICE AT HOUSE NO. 65, PADAM PUKHURI, BLOACK-4,  
DIMAPUR, STATE-NAGALAND, REPRESENTED BY ITS PROPRIETOR- MRS.  
INATOLI, AGE 42 YEARS, W/O MR. INAKHU ACHUMI, R/O HOUSE NO. 65,  
PADAM PUKHURI BLOCK-4, DIMAPUR, NAGALAND, PIN-797116

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner** : MR. K BORUAH, MS. P BORAH, MR. M ALAM

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**05.12.2024**

Heard Mr. K Boruah, learned counsel for the petitioner as well as Mr. D Das, learned Additional Public Prosecutor, Assam.

By this application, filed under Section 482 read with section 402 of the CrPC, the petitioner, Mrs. Inatoli, has prayed for release the seized areca nuts belonging to her.

A Report was called for from the concerned Investigating Officer and the same has not yet been received. Therefore, this Court has decided to proceed with the matter without the said

Report.

40 (forty) bags of areca nuts weighing about 2800 kgs were seized at New Bongaigaon by the Police while the petitioner was carrying the same from Dimapur to Howrah.

Pursuant to register of the case being Bongaigaon GRPS Case No. 23/2024, the petitioner filed an application before the Judicial Magistrate, Bongaigaon praying for giving custody of the seized areca nuts.

Accordingly, the learned court obtained a report and, thereafter, rejected the prayer of the petitioner.

I have gone through the impugned order dated 18.03.2024 passed by the learned Judicial Magistrate, Bongaigaon.

I have considered the submission made by the learned counsel of both sides.

Areca nuts are perishable commodities and, therefore, keeping those in custody would cause loss to the petitioner. Therefore, it is directed that the areca nuts belonging to the petitioner shall be given in custody of the petitioner after making proper verification by executing a bond of Rs.50,000/-

The criminal petition is disposed of.

JUDGE

**Comparing Assistant**