

GAHC010142392024



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

Case No. : Bail Appln./2089/2024

MOROMI BEGUM
W/O NOOR ALOM, R/O VILL- JORSHIMULI, P.S.-CHHAYGAON, DIST-
KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR F HAQUE, MR. S K M ALOMGIR, MR A ISLAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 02.08.2024

Heard Mr. F.Haque, learned counsel for the petitioner as well as Mr. D.P.Goswami, learned Addl. P.P., Assam for the State respondent.

By filing this petition under Section 483 of the Bharatiya Nagarik Surakshya Sanhita, 2023 the accused-petitioner, namely, **Moromi Begum** has prayed for

grant of bail in connection with **Chhaygaon P.S. Case No.202/2024** under Sections 21(b)/ 29 of NDPS Act.

Case diary is not received.

The learned counsel for the petitioner submits that 33.37 grams of suspected narcotics drugs including a plastic pouch was recovered from the possession of the petitioner which falls in the intermediate quantity wherein the mandatory period of punishment for such offence is 60 days. The petitioner has been in judicial custody for last 58 days since his arrest on 06.06.2024. It is further submitted that the petitioner is a lady and on the day of her arrest, her husband was not at home. However, considering length of detention, the petitioner may be enlarged on bail.

The learned Addl.P.P. submits that the petitioner is in judicial custody for 58 days and as such, length of detention may be considered.

Having heard the learned counsel for the parties and considering length of detention of the petitioner who is in judicial custody for last 58 days, further custodial interrogation of the petitioner in the interest of investigation is not warranted.

Accordingly, it is provided that the petitioner named above shall be released on furnishing bail bond of **Rs. 50,000/-** with two sureties of like amount to the satisfaction of the learned **Special Judge, Kamrup (Amingaon)**, subject to the following conditions;-

- (i) The petitioner shall not leave the territorial jurisdiction of learned **Special Judge, Kamrup (Amingaon)** without prior written permission from him/her;
- (ii) That the petitioner shall cooperate with the Investigating

Officer as and when required;

- (iii) 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 Police Officer or the Court.

Violation of any condition shall tantamount to cancellation of bail.

This disposes of the bail application.

JUDGE

Comparing Assistant