

GAHC010148902024



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

Case No. : Bail Appln./2188/2024

MD. ALAMIN HOQUE
S/O LATE SAHAJUL HAQUE
VILL- SINGIARI
P.S. SIPAJHAR
DIST. DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. N C DAS, MR. S K SINGHA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 12-09-2024

Heard learned counsel Mr. N.C. Das for the petitioner Md. Alamin Hoque, who has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as he is behind bars for 96 days in connection with Sipajhar Police Station Case No. 83/2024 under Section 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard Mr. D. Das, learned Additional Public Prosecutor, Assam for the respondent State.
3. The allegation against the petitioner is that he was caught red handed while he was in possession of 1.106 kgs of suspected ganja.
4. Learned Additional Public Prosecutor has submitted that the FSL report reveals that the petitioner was caught with cannabis (ganja).
5. It is submitted on behalf of the petitioner that as the petitioner has been caught with small quantity of ganja, the petitioner is entitled to bail.
6. After scrutinizing the entire Case Diary and after scrutinizing the FSL report, I deem it proper to grant bail to the petitioner. The petitioner is enlarged on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty Thousand) with a suitable surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Mangaldoi under the conditions that : -
 - (i) The petitioner shall cooperate with the remaining part of investigation and not jump the bail.
 - (ii) The petitioner shall refrain from such activities with which he is alleged.
 - (iii) The petitioner shall not leave the jurisdiction of the Court without prior permission.
7. On breach of any of the bail conditions, bail order shall automatically stand cancelled.
8. In terms of the above observation, this Bail Application stands disposed of.
9. Send back the Case Diary.

JUDGE

Comparing Assistant