

GAHC010149512024



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

Case No. : Bail Appln./2202/2024

ALOM ALI
S/O ROHIJUDDIN, P/R/O BORAJUL, P.S.-GHOGRAPAR, DIST- NALBARI,
ASSAM, P/R/A GHORAMARA, SHIVAM PATH, HOUSE NO. 2, P.S.-HATIGAON,
DIST- KAMRUP (M), ASSAM

VERSUS

STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. R CHETRI, M S BAISHYA, MR N MILI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 16.08.2024

Heard Mr. R.Chetri, learned counsel for the petitioner and Mr. B.Sharma, learned Addl.P.P. for the State respondent.

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

bail in connection with **Basistha P.S. Case No.464/2024** under Section 21 (b)/29 of the NDPS Act.

The learned counsel for the petitioner submits that 179 grams of suspected heroin was recovered from the possession of the petitioner along with three other co-accused persons. The recovered item appears to be of small quantity under the NDPS Act. It is submitted that three other co-accused persons were granted bail by the learned trial court and as such, the petitioner who is in judicial custody for last 55 days may be enlarged on bail.

The learned Addl.P.P. has produced the case diary without the FSL Report.

Having heard the learned counsel for the parties and on perusal of the case diary and the averments made in this petition, it appears that the petitioner is in judicial custody for last 55 days and considering length of detention, 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. 1, 00,000/- (One Lakh)** with two sureties of like amount to the satisfaction of the learned **Special Judge, Kamrup (M), Guwahati**, subject to the following conditions;-

- (i) The petitioner shall not leave the territorial jurisdiction of learned **Special Judge, Kamrup (M), Guwahati**, 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.

Return the case diary.

JUDGE

Comparing Assistant