

GAHC010151112024



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

Case No. : Bail Appln./2207/2024

MANJURA KHATUN AND ANR
W/O SORHAB ALI, VILL- DOLAIGAON PART-III, P.S.-BONGAIGAON, DIST-
BONGAIGAON (ASSAM), PIN-783378

2: SORHAB ALI
S/O HUSSAIN ALI
VILL- DOLAIGAON PART-III
P.S.-BONGAIGAON
DIST- BONGAIGAON (ASSAM)
PIN-78337

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : P. GHOSH,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 29.08.2024

Heard Mr. A.M.Ahmed, learned counsel for the petitioners as well as Mr. R.J.Baruah, 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-petitioners, namely, **1. Manjura Khatun** and **2. Sorhab Ali** have prayed for grant of bail in connection with Special (Nar) 76 (BNG)/2023 (arising out of **Bongaigaion P.S. Case No.10/2023**) under Sections 20(ii)(C) of NDPS Act r/w Section 4 of Assam Ganja and Bhang Prohibition Act, 1958.

The learned counsel for the petitioners submits that petitioner No. 1 was arrested on 05.01.2023 and petitioner No. 2, who is the husband of petitioner No. 1 surrendered on 22.07.2023. It is submitted that the contraband items were not recovered from their conscious possession. The alleged narcotic drugs were found on the roof of the house of the petitioners and as such, considering length of detention, the petitioners may be enlarged on bail.

In response, the learned Addl.P.P. submits that out of seven witnesses, five witnesses have already been examined and the case is at the fag end of trial. The witnesses have implicated the petitioners to be involved in the case.

Having heard learned counsel for the parties and on perusal of case records, it appears that out of seven witnesses, five witnesses have already been examined and the case is at the fag end of trial and as such, this court is not inclined to grant bail to the petitioners at this stage.

The bail application is rejected.

However, learned trial court is directed to dispose of the matter within a short span of time.

The bail application stands disposed of.

JUDGE

Comparing Assistant