

GAHC010157522024



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

Case No. : Bail Appln./2334/2024

KHYATI RANJAN GOGOI
S/O LATE BAGHESWAR GOGOI, R/O VILL- PUB-BANIPUR, P.S.-DIBRUGARH
AND PRESENTLY R/O SHINE APARTMENT, BLOCK-1, BAGHORBARI LINK
ROAD, P.S.-SATGAON, PIN-781027, DIST- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR ARINDAM BARUAH, MS LUBNA CHOUDHURY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 14.08.2024

Heard Mr. A.Baruah, learned counsel for the petitioner as well as Mr. R.J.Baruah, learned Addl. P.P., Assam for the State respondent.

By filing this petition under Section 439 CrPC r/w Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the accused-petitioner, namely, **Khyati**

Ranjan Gogoi has prayed for grant of bail in connection with **Dispur P.S. Case No.614/2024** under Sections 21(b) of NDPS Act.

The learned counsel for the petitioner submits that 03.16 grams of suspected heroin was recovered from the possession of the petitioner which falls in the small quantity under the NDPS Act. The petitioner has been in judicial custody for last 59 days and as such, considering length of detention, the petitioner may be enlarged on bail.

The learned Addl.P.P. has produced the case diary without the FSL report and opposed in granting bail to the petitioner as the recovered item was not of small quantity.

Having heard the learned counsel for the parties and on perusal of the case diary, it appears that the petitioner is in judicial custody for last 59 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. 50,000/-** with a surety 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