

GAHC010158142024



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

Case No. : AB/2088/2024

BARNABAS BASUMATARY
S/O RUMANUS BASUMATARY
R/O VILL- BHAIRABPUR, P.S. UDALGURI, DIST. UDALGURI, ASSAM
PIN- 784513

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : G UDDIN, P ADHIKARI, MS ANNA K P

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 16.09.2024

Heard Mr. G. Uddin, learned counsel for the petitioner as well as Mr. B. Sarma, learned Addl. Public Prosecutor, Assam for the State respondent.

This application under section 482 of BNSS, 2023 has been filed by the petitioner, namely **Barnabas Basumatary** praying for pre-arrest bail,

apprehending arrest in connection with **SPL(N) Case No. 07/ 2024** (arising out of Udalguri P.S.Case No. 13/2024) under Sections 20(b)(ii)(c) of NDPS Act, 1985.

The learned counsel for the petitioner has submitted that the petitioner is no way connected with the alleged offence and on the basis the statement of the co-accused, the charge sheet has been laid against the petitioner showing him absconder. The learned counsel for the petitioner has prayed to re-call the warrant of arrest issued against the petitioner by the trial court.

On the other hand, the learned Addl. Public Prosecutor has submitted that the matter relates to recovery of commercial quantity of cannabis. The petitioner may not be enlarged on bail. However, he may appear before the Trial Court seeking regular bail.

In view of the submission of the learned counsel for the parties, this petition is disposed of with a direction to the petitioner to approach before the trial court and in the event of filing of any bail application, the trial court shall consider the matter in accordance with law.

JUDGE

Comparing Assistant