

GAHC010160262024



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

Case No. : Bail Appln./2456/2024

ALOM KHAN @ SAH ALOM AND 2 ORS.
S/O MOHURUDDIN, VILL AND P.O.-KHANAJAN, P.S.-NORTH LAKHIMPUR,
DIST- LAKHIMPUR, ASSAM

2: FULJAR ALI

S/O LATE ASKAR ALI

3: MINARA KHATUN
W/O KASIM ALI
LAKHIMPUR
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. N H BARBHUIYA, MR. S Y AHMED

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 10.09.2024

Heard Mr. S.Y.Ahmed, learned counsel for the petitioners as well as Mr. B.B.Gogoi, 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.Alom Khan @ Sah Alom, 2. Fuljar Ali** and **3. Minara Khatun** have prayed for grant of bail in connection with **North Lakhimpur P.S. Case No.187/2024** (GR No. 493/2024) under Sections 21(b)/29 of NDPS Act.

The learned counsel for the petitioners submits that the petitioners have been languishing in judicial custody for last 60 days since their arrest on 12.07.2024 and they have completed the mandatory period of such offence. Charge sheet has not yet submitted and as such, the petitioners are entitled for default bail.

The learned Addl.P.P. has produced the case diary without the FSL report and submits that length of detention of the petitioners may be considered.

Having heard learned counsel for the parties and on perusal of the case diary, it appears that the petitioners are in judicial custody for last 60 days and charge-sheet has not yet submitted in the case. Considering length of detention, the prayer for bail is hereby granted.

Accordingly, it is provided that the petitioners named above shall be released on furnishing bail bond of **Rs. 50,000/-** each with two sureties each of like

amount to the satisfaction of the learned **Special Judge, Lakhimpur, North Lakhimpur** subject to the following conditions;-

- (i) The petitioners shall not leave the territorial jurisdiction of learned **Special Judge, Lakhimpur, North Lakhimpur** without prior written permission from him/her;
- (ii) That the petitioners shall cooperate with the Investigating Officer as and when required;
- (iii) That the petitioners 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