

GAHC010161362024



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

Case No. : Bail Appln./2408/2024

PRADIP CHANDRA RAY
S/O LT DWIP CHARAN RAY, R/O VILL- BATARDOL PT. 1, P.O.-CHAPAR, P.S.-
CHAPAR, DIST- DHUBRI, ASSAM, PIN-783371

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR A A DEWAN, A M RAHMAN, MR H A RASHID
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

28.08.2024

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

By filing this petition under Section 483 of BNSS, 2023, the accused-petitioner, namely, **Pradip Chandra Ray**, has prayed for grant of bail in connection with **C.R. Excise Case No.66/2024** under Sections **53(1)(a) of AE(A) Act, 2018**.

It is submitted by the learned counsel for the petitioner that the accused

petitioner has been languishing in judicial custody for last 55 days since his arrest on 04.07.2024 and the mandatory period of detention for the offence is 60 days. The alleged duplicate bottles of IMFL have already been seized and the substantial part of investigation is completed. Considering the length of detention, prayer for bail may be considered.

Mr. R. J. Baruah, learned Additional Public Prosecutor has submitted that length of detention may be considered.

In view of the submission of learned counsel for both the parties and considering the length of detention, this Court is of the view that further custodial interrogation of the accused-petitioner is not necessary in the interest of investigation of the case.

Accordingly, the petitioner, named above, shall be released on bail, on furnishing bail bond of **Rs.30,000/-** with **one suitable surety** of the like amount, to the satisfaction of learned **Sub-Divisional Judicial Magistrate (M), Bilasipara**.

The direction for bail is further subject to the conditions that the petitioner:

- (a) shall not leave the territorial jurisdiction of learned Sub-Divisional Judicial Magistrate (M), Bilasipara without prior written permission from him/her;
- (b) shall not hamper with the investigation, or tamper with the evidence of the case;
- (c) 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 Court or to any police officer.

In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant