

GAHC010165482024



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

Case No. : Bail Appln./2444/2024

AJIT RABHA @ GARO
S/O PARIMAL RABHA, R/O LALMATI, SAMOGURI, HOUSE NO. 35, NEAR
BORSOJAI L.P. SCHOOL, P.S.-BASISTHA, DIST- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. N J DUTTA, MR. M M ZAMAN, MR N AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 16.08.2024

Heard Mr. A. Baruah, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor for the State.

2. By this application filed under section 483 of the Bharatiya Nagarik

Suraskha Sanhita, 2023, the accused petitioner namely, **Ajit Rabha @ Garo**, has prayed for bail in connection with **STF P.S. Case No. 08/2024 under Section 21(b)/25/29 of NDPS Act.**

3. It has been submitted by the learned counsel for the petitioner that the petitioner was arrested on 12.06.2024 and since then he has been detained in custody. In the meantime, he has completed mandatory period of 60 days in custody and charge-sheet has not yet been submitted. It is also submitted that the quantity of heroine which was recovered from the possession of the petitioner is intermediate quantity. Hence, the petitioner is entitled for default bail.

4. Mr. Sarma, learned Additional Public Prosecutor for the State has admitted that the petitioner has been detained in custody for more than 60 days and charge-sheet has not yet been submitted in this case.

5. I have considered the submissions made by the parties. I have also perused relevant documents as available in the record.

6. Considering the background of the case as well as length of detention of the petitioner, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner, named above, shall be released on bail in connection with **STF P.S. Case No. 08/2024 under Section 21(b)/25/29 of NDPS Act**, on furnishing bail bond of **Rs.50,000/-** with **one suitable surety** of the like amount, to the satisfaction of learned Special Judge, Kamrup(M), Guwahati, Assam.

8. The direction for bail is further subject to the conditions that the

petitioner:

(a) shall not leave the territorial jurisdiction of learned Special Judge Kamrup(M), Guwahati, Assam without prior written permission from him/her;

(b) 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;

(c) shall not hamper with the investigation, or tamper with the evidence of the case.

9. In the view of the above, the bail application stands disposed of.

JUDGE

Comparing Assistant