

GAHC010169962024



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

Case No. : Bail Appln./2500/2024

IKRAMUL HUSSAIN
S/O ABDUL HAMID,
RESIDENT OF VILLAGE PACHIM BHERBHERI, PO DHUPAGURI, PS
BATADRAVA, DIST NAGAON, ASSAM 782123

VERSUS

THE STATE OF ASSAM,
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR H A RASHID, MR A MALEK, MR A A DEWAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 21.08.2024

Heard Mr. A.A. Dewan, learned counsel for the petitioner. Also heard Mr. D.P. Goswami, 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, **Ikramul Hussain**, has prayed for bail in connection with **Bakalia P.S. Case No. 17/2024 under Section 21(b)/29 of NDPS Act.**

3. It has been submitted by the learned counsel for the petitioner that the petitioner was arrested on 25.06.2024 and since then he has been detained in custody. It is also submitted that about 156.27 gram of suspected heroine was recovered from a vehicle in which the petitioner is the driver bearing Regd. No. AS-02-AM-5228 and the other two co-accused were also travelling in the said car. It is further submitted that quantity of suspected heroine recovered appears to be small quantity. It is also submitted that the petitioner has no knowledge regarding the transportation of said contraband and he was arrested only on suspicion. Charge-sheet has not yet been submitted. Considering the length of detention, the petitioners may be enlarged on bail.

4. Mr. Goswami, learned Additional Public Prosecutor for the State has produced the case diary without FSL report and submits that the petitioner has been detained in custody for last 56 days and charge-sheet has not yet been submitted in this case. It is also submitted that 156.27 gm of suspected heroine was recovered from the vehicle of the petitioner which is intermediate quantity.

5. I have considered the submissions made by the parties. I have also perused the case diary.

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

7. Accordingly, the petitioner, named above, shall be released on bail in

connection with **Bakalia P.S. Case No. 17/2024 under Section 21(b)/29 of NDPS Act**, on furnishing bail bond of **Rs.1,00,000/-** with **one suitable surety** of the like amount, to the satisfaction of learned Special Judge, Karbi Anglong, Diphu, 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, Karbi Anglong, Diphu, 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.

10. Send back the case diary.

JUDGE

Comparing Assistant