

GAHC010178092024



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

Case No. : Bail Appln./2592/2024

SRI ARINDAM ACHARYA
S/O RANJIT ACHARYA,
RESIDENT OF LAHORIJAN NATUN BOSTI, PS KHATKATI, DIST KARBI
ANGLONG, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR. S MUNIR, MR. S RANA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

31.08.2024

1. Heard learned counsel Mr. S. Munir for the petitioner Arindam Acharya.
2. The petitioner has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as he is behind bars since 10.07.2024 in connection with Khatkhati Police Station Case No. 91/2024 under

Sections 21(b)/22(b) of the NDPS Act.

3. Heard Mr. B. B. Gogoi, learned Additional Public Prosecutor, Assam for the respondent State.
4. Learned Additional Public Prosecutor has submitted that case Diary is not received, and Charge-sheet has not been laid against the petitioner.
5. I have considered the submissions at the Bar.
6. The allegation against the petitioner is that he was found in possession of 150 nos. of YABA tablets weighing 16.280 grams.
7. It is submitted on behalf of the petitioner that the petitioner is willing to co-operate with the remaining part of investigation. The petitioner is also willing to abide by any stringent bail conditions, if imposed upon him. It appears that further custodial detention may not be required for the progress of investigation.
8. Considering all aspects, petition is allowed. The petitioner shall be enlarged on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty Thousand) with a suitable surety of like amount to the satisfaction of the Special Judge, Karbi Anglong, Diphu under the conditions that:
 - (i) The petitioner shall refrain from such activities with which he is alleged,
 - (ii) The petitioner shall appear before the Investigating Officer on every fortnight till completion of investigation, and
 - (iii) The petitioner shall not leave the jurisdiction of the Court without prior permission.

9. On breach of any of the bail conditions, bail order shall stand automatically cancelled.
10. In terms of the above observation, Bail Application stands disposed of.

JUDGE

Comparing Assistant