

GAHC010180912024



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

Case No. : Bail Appln./2663/2024

TAJUL AHMED
S/O AMIR UDDIN, R/O UTTAR KABARIBOND, P.S.-PATHARKANDI, DIST-
KARIMGANJ, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MRS. S D CHOUDHURY,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 20.09.2024

Heard Ms.S.D.Choudhury, learned counsel for the petitioner as well as Mr. P.Borthakur, 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-petitioner, namely, **Tajul Ahmed** has prayed for grant of bail in connection with **Patharkandi P.S. Case No.150/2024** (GR No.999/2024) under Sections 21(c)/25/29 of NDPS Act, r/w Section 25 (1-B) (a) of Arms Act.

The learned counsel for the petitioner submits that the petitioner is no way connected with the alleged offence. No any contraband item was recovered from the conscious possession of the petitioner. The petitioner has been in judicial custody for last 73 days since his arrest on 04.07.2024. It is also submitted that on the basis of the statement of co-accused, the petitioner was arrested in the case. Considering the length of detention, the petitioner may be enlarged on bail.

The learned Addl.P.P. has produced the case diary and submits that the petitioner is a drug dealer. On the date of the incident, when police proceeded towards the resident of the the petitioner and another co-accused Ruhel Ahmed, they recovered 9295 plastic vials from the house of the petitioner which is used to store heroin and cash amount of Rs.24,750/- from the house of the petitioner. The witness examined by the I.O. has clearly stated that the petitioner is a drug dealer and he is involved in the offence of trafficking of drugs from his house. The FSL report gave positive tests for heroin.

Having heard the learned counsel for the parties and on perusal of the case diary as well as considering the facts in its entirety, this court is not inclined to grant bail to the petitioner.

Accordingly, the bail application is rejected.

This disposes of the bail application.

Return the case diary.

JUDGE

Comparing Assistant