

GAHC010192792024



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

Case No. : Bail Appln./2804/2024

INSAF ALI
S/O- LATE MUHIBUR RAHMAN,
R/O- DHOLAITOLA,
P.S- HAJO, DIST-KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR. DITUL DAS, D R TALUKDAR, MR. B R DAS, MR. K MEDHI, MR. A K TALUKDAR, MS TINLUNG

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 17.09.2024

Heard Mr. Ditul Das, learned counsel for the petitioner and Mr. B.B. Gogoi, learned Addl. Public Prosecutor for the State respondent.

This application under Section 483 of BNSS, 2023 has been filed by the petitioner, namely **Insaf Ali**, praying for regular bail, who was arrested on 23.08.2024 in connection with **Gorchuk P.S. Case No. 199/2024**

(Corresponding to G. R. Case No. 3903/2024) under Sections 303(2)/ 317(2) of BNS, 2023 read with Sections 21(b)/ 27/ 29/ 20(b)(ii)B/ 22a of the NDPS Act, 1985.

The learned counsel for the petitioner has submitted that the petitioner has been detained in custody since 23.08.2024 and since then he has been in judicial custody for last 47 days. No any contraband has been recovered from his possession and the petitioner has been arrested purely on suspicion. The co-accused persons have already been enlarged on bail and hence considering the length of detention, the petitioner may be released on bail.

The learned Additional Public Prosecutor has submitted that considering the length of detention, the prayer for bail may be considered.

After hearing the submissions of the learned counsel for both the parties and considering the matter in its entirety and the period of detention, the petition is allowed. Hence, it is directed that the petitioner named above, be released on bail on furnishing a bond of Rs. 50,000/- (Rupees fifty thousand) with 2 (two) suitable sureties of like amount to the satisfaction of the learned Special Judge (NDPS), Kamrup (Metro), Guwahati in connection with the aforementioned case.

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

- (a) shall not leave the territorial jurisdiction of the learned Special Judge (NDPS), Kamrup (M), Guwahati without prior written permission from him/ her;
- (b) shall not hamper in the investigation and tamper with the evidence of the case; and

- (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