

GAHC010194862024



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

Case No. : AB/2539/2024

MEHER ALI AND ANR
S/O AMJED ALI
VIL- TUKRAPARA
P.S. CHHAYGAON
DIST. KAMRUP, ASSAM

2: NAJMINA KAHATUN
W/O MEHER ALI
VIL- TUKRAPARA
P.S. CHHAYGAON
DIST. KAMRUP
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR N ZAMAN,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI
ORDER

11.11.2024

Heard Shri N. Zaman, learned counsel for the petitioners, who has filed this petition under Section 482 of B.N.S.S. of 2023 for granting anticipatory bail

to the petitioners in connection with Chhaygaon P.S. Case No. 281/2024 under Section 123/103/3(5) of B.N.S.S., 2023.

Also heard Ms. S. Jahan, learned Addl. Public Prosecutor, Assam, who has produced the Case Diary along with further information.

The allegation against the FIR is connected with the death of the son of the informant by use of drugs which were administered by the accused persons.

The learned counsel for the petitioners has however submitted that the allegations are not against his clients but the accused nos. 3, 4 & 5 who had lured the minor son and made him consume excessive amount of drugs.

On the other hand, Ms. Jahan, the learned Addl. Public Prosecutor, Assam has submitted that the materials in the Case Diary would reveal that the petitioners are also in the illegal business of drugs trafficking. She has submitted that though the Forensic Report suggest that there was no poisoning, the aspect of the allegation would not stand diluted as the allegation is not a poisoning but of drug abuse.

Considering the nature of the allegations and also the seriousness of the offence, this Court is of the opinion that the present is not a case for grant of anticipatory bail.

Accordingly, the petition stands rejected.

Case Diary returned herewith.

JUDGE

Comparing Assistant