

GAHC010201042024



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

Case No. : Bail Appln./2942/2024

PUJA DEKA
W/O LATE SONU DEKA
R/LAKHTOKIA, 2 NO. RAILWAY GATE, P.S. PANBAZAR,
DIST. KAMRUP (R), ASSAM
PERMANENT ADDRESS-
VILL- KALAIGAON,
P.S. KALAIGAON
DIST. UDALGURI (BTR)

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR S M ABDULLAH P, MD IMRAN, MD R ISLAM, MR. S RAHMAN, MS F HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

30-10-2024

Heard Ms. F Hussain, learned counsel for the petitioner and Mr. K K Parashar, learned Additional Public Prosecutor, Assam for the State.

2. By this application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023,

the petitioner, namely, **Puja Deka**, wife of late Sonu Deka, resident of Lakhtokia, 2 No. Railway Gate, P.S.-Panbazar, District-Kamrup (M) has prayed for her bail in Panbazar Police Station Case No. 213/2024 registered under Section 21(b) of the NDPS Act, 1985, in which she was arrested on 01.09.2024 and is in custody since then.

3. On receipt of specific information and on making necessary G.D. Entry on 31.08.2024, during body search 55.5 Grams of suspected Heroin was recovered from the physical possession of the petitioner and accordingly, Panbazar Police Station Case No. 213/2024 was registered Section 21(b) of the NDPS Act, 1985.

4. On being enquired, Mr. K K Parashar, learned APP, Assam has submitted that though the investigation of the case is complete, but because of the non-availability of the FSL report, Charge-Sheet in said Panbazar P.S. Case No. 213/2024 could not be filed till date.

5. Today is the 60th day of detention of the petitioner in said Panbazar Police Station Case No. 213/2024 and she shall complete the mandatory period of her detention today.

6. Considering the above, the petitioner, namely, **Puja Deka** is granted default bail in said Panbazar Police Station Case No. 213/2024 on furnishing bail bond of Rs. 50,000/-, with two local sureties of the like amount, one of which shall be a government employee (either state or central government), to the satisfaction of the learned Special Judge (NDPS), Kamrup (M), Guwahati on conditions that the petitioner – (i) shall appear before the Investigating Officer of said Panbazar P.S. Case No. 213/2024 every Monday for the next three English Calendar months during office hours commencing from 11.11.2024 or till Final Report/Charge-Sheet is filed in the case, as the case may be, whichever is earlier and as and when she is required for necessary investigation of the case; (ii) shall surrender her passport, if any, before the learned Special Judge (NDPS), Kamrup (M), on or before 08.11.2024; (iii) shall not leave the territorial jurisdiction of the Panbazar Police Station, without obtaining prior written permission from the concerned I.O. of the case; (iv) shall not hamper with the investigation or tamper with the evidence of the case; (v) 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 them from disclosing such facts to the Court or to any police officer and (vi) shall not indulge herself in any criminal activities including possession or procurement of such NDPS items.

7. Any violation of the aforesaid terms and conditions by the petitioner, named above, the bail

granted to her in the aforementioned P.S. Case shall stand automatically vacated.

8. Bail application stands allowed to the extent above.
9. Return the case diary.

JUDGE

Comparing Assistant