

GAHC010205082024



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

Case No. : Bail Appln./3010/2024

SAIDEUR RAHMAN @ CHAYEDUR RAHMAN @ SAIDUR RAHMAN
S/O ABDUL MALIK, R/O JORSIMOLU, P.S.-CHHAYGAON, DIST- KAMRUP,
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A PARAMANIK, P. KALITA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 08-10-2024

Heard Ms. P Kalita, learned counsel for the petitioner and Mr. M.P. Goswami, learned Addl. PP, Assam appearing for the state respondent.

This application under section 483 of the BNSS, 2023 is preferred by accused, namely, ***Saideur Rahman @ Chayedur Rahman @ Saidur Rahman*** who was arrested on 18.08.2024 in connection with ***Boko PS***

Case No.371/2024 under sections ***21(b) of NDPS Act.***

The petitioner was arrested on 18.08.2024 and he is behind the bars since then.

The case diary called for is received.

The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. There is no legal evidence against the present petitioner to connect him with the alleged offence. The learned Counsel further submits that the conclusion of trial will take sufficient time and on the aforesaid grounds, prayer is made to release the petitioner on bail.

The learned Addl. PP has also submitted that the petitioner has been thoroughly interrogated by the police.

Perused the case diary.

It is seen that the investigation has substantially been progressed. The statement of the witnesses has already been recorded. The investigation has already been completed in all regards except receipt of the FSL report. The petitioner has been in custody since last 51 days and the mandatory period of filing charge sheet is 60 days.

Considering the quantity of contraband recovered and the period of detention, this court without commenting anything on the merits of the case is of the opinion that no further custodial interrogation/detention of the petitioner is required. Accordingly, the present application is allowed.

It is directed that the petitioner, above named, in connection with the aforementioned case be released on bail on furnishing a bond of Rs.50,000/- (Rupees fifty thousand only) with one solvent surety of the like amount to the satisfaction of the learned Special Judge, Kamrup, Amingaon with the following conditions:

- I. The petitioner shall not leave the territorial jurisdiction of

the aforesaid police station without prior written permission from its officer in charge;

II. The petitioner shall not hamper with the investigation of the case and tamper with the evidence of the case;

III. The petitioner 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.

In terms of the above, this bail application stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant