

GAHC010223092024



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

Case No. : Bail Appln./3289/2024

NABIN BORAH AND ANR
S/O SRI LOKESWAR BORAH, VILL-BALIGAON, P.S.-BOGINADI, DIST-
LAKHIMPUR, ASSAM, PIN-784164

2: LOKESWAR BORAH
S/O LT. SARULORA BORAH
VILL- BADHAKARA BALIGAON
P.S.-BOGINADI
DIST- LAKHIMPUR
ASSAM
PIN-78703

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. P K DEKA, J MEDHI, MS. N M LONGKENG, MR. P
DAIMARY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 09.12.2024

Heard Mr.P.K.Deka, learned counsel for the petitioners as well as Mr. K.K.Das,

learned Addl. P.P., Assam for the State respondent.

By filing this 2nd petition under Section 439 Cr.P.C., the accused-petitioners, namely, 1. **Nabin Borah** and 2. **Lokeswar Borah** have prayed for grant of bail in connection with Special NDPS Case No. 06/2020 (arising out of Biswanath Chariali PS Case No. 38/2024) under Sections 20 (b) (ii) (c) of the NDPS Act r/w Section 4 of the Assam Ganja and Bhang Prohibition Act.

The learned counsel for the petitioners submits that two witnesses are yet to be examined in this case and as such, prays for disposal of the matter within three months from today and if the learned trial court fails to dispose of the matter within the specific period, the petitioner will be at liberty to file regular bail.

Learned Addl.P.P. submits that out of thirteen witnesses eleven witnesses have already been examined in the case and as the trial is at the fag end, bail may not be considered at this stage.

Having heard learned counsel for the parties, the learned trial court is directed to expedite the matter and take initiative to dispose of the matter preferably within three months.

However, prayer for bail is rejected.

This disposes of the bail application.

JUDGE

Comparing Assistant