

GAHC010226932024



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

**Case No. : Bail Appln./3311/2024**

LAKHYAJIT KONWAR @ LAKHYA KONWAR  
S/O LATE TUPIDHAR KONWAR, R/O NUTUN BANIPUR BYLANE NO. 7, P.S.-  
DIBRUGARH, DIST- DIBRUGARH, ASSAM

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner** : MR. M BISWAS, A GHOSAL, J SINGPHO

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**

**HON'BLE MR. JUSTICE MANASH RANJAN PATHAK**

**29/10/2024**

Heard Mr. M Biswas, learned counsel for the petitioner and Ms. S H Bora, learned Additional Public Prosecutor, Assam for the State respondent.

**2.** This application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the petitioner, namely, **Lakhyajit Konwar @ Lakhya Konwar**, son of Late Tupidhar Konwar, resident of Nutun Banipur Bylane No. 7, under Dibrugarh Police Station of District-Dibrugarh, seeking

bail in **Lahowal P.S. Case No. 92/2024** registered under Sections 21(b) & 27 of Narcotics Drugs and Psychotropic Substances Act, 1985 corresponding to G.R. No. 945/2024 in which he was arrested on 21.08.2024 along with another accused person of the case and is in custody since then.

3. As per the FIR of the case, from the possession of the petitioner police recovered 40.47 gms. of suspected Heroin with container and 13.36 gms. of it without container and also recovered from his possession suspected heroin of 1.30 gms in one yellow covered plastic container and 0.60 gms. without the container.

4. It is submitted by Ms. Bora, learned Additional Public Prosecutor, Assam that as the concerned FSL report is yet to be received, charge-sheet in said Lahowal P.S. Case No. 92/2024 could not be filed till date.

5. Since 21.08.2024, the petitioner is in custody for about 69 days and has already completed the mandatory period of his detention in custody.

6. In view of the above, the petitioner is entitled for his default bail in said Lahowal P.S. Case No. 92/2024.

7. Accordingly, the petitioner, namely, **Lakhyajit Konwar @ Lakhya Konwar**, is granted default bail in said **Lahowal P.S. Case No. 92/2024** registered under Sections 21(b) & 27 of Narcotics Drugs and Psychotropic Substances Act, 1985 corresponding to G.R. No. 945/2024, on furnishing a bail bond of Rs.50,000/- with 2 (two) local sureties of the like amount, one of which shall be a Government Employee either Central or State Government, to the satisfaction of the learned Special Judge (NDPS), Dibrugarh, on conditions that the petitioner — (i) shall appear before the Investigating Officer of said Lahowal P.S. Case No. 92/2024 as and when he is required for necessary investigation of the case; (ii) shall not leave the territorial jurisdiction of the learned Special Judge (NDPS), Dibrugarh, without obtaining prior written permission from the said authority; (iii) shall not hamper with the investigation, or tamper with the evidence of the case; (iv) 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; (v) shall not indulge himself in any criminal activities including possession or procurement of such NDPS items and (vi) shall surrender his passport, if any, before the learned Special Judge (NDPS), Dibrugarh on or before 06.11.2024, obtaining necessary acknowledgment in that regard, failing which, the bail granted to him in said Lahowal P.S. Case No. 92/2024 shall stand automatically vacated.

8. This bail application accordingly stands disposed of with the above directions.

**JUDGE**

**Comparing Assistant**