

GAHC010245612023



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

Case No. : Bail Appln./3977/2023

SAHIDUR RAHMAN
S/O HAMIDUL RAHMAN, R/O VILL-SUPTU KARONG AND USHOIPOKHI
THARAOROK, P.S.-LILONG, DIST-THOUBAL, MANIPUR

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MS. A. MEDHI

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

04.01.2024

Heard Ms A Medhi, learned counsel for the petitioner, Sahidur Rahman.

2. The petitioner has filed this application under Section 439 CrPC, with prayer for bail as he is in jail in connection with NDPS Case No. 95/2023, arising out of Gorchuk PS Case No. 41/2023, registered under Section 21 (C) of the NDPS Act.

3. It is submitted that the petitioner is behind bars for 294 days and his fundamental right to liberty has been curtailed as he was arrested on 13.02.2023.
4. Heard Mr M P Goswami, learned Additional Public Prosecutor for the State of Assam. .
5. It is submitted by the learned Additional Public Prosecutor that the case is proceeding at a regular pace. The petitioner is not entitled to bail as he is booked for allegedly transporting brown sugar of commercial quantity, in contravention of the NDPS Act. Five out of eight witnesses have already been examined.
6. I have considered the submissions at the Bar with circumspection.
8. The case is proceeding at a regular pace. The case is at the fag end of the trial. It cannot be said that the petitioner is entitled to bail, as the case has been protracted.
9. Considering all aspects, petition with prayer for bail is rejected at this stage of trial.
10. Bail Application stands disposed of.

JUDGE

Comparing Assistant