

GAHC010282092023



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

Case No. : Bail Appln./4569/2023

BABLA MANDAL @ AMRIT LAL MANDAL
S/O LT. ANIL MANDAL @ ANIL CHANDRA MANDAL
R/O VILL- BABUPARA
WARD NO. 11, P.O. NORTH BONGAIGAON,
P.S. BONGAIGAON,
DIST. BONGAIGAON, ASSAM
PIN-783380

VERSUS

THE STATE OF ASSAM
TO BE REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR A A DEWAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

19.01.2024

Heard Mr A A Dewan, learned counsel for the petitioner, Babla Mandal @ Amrit Lal Mandal.

2. The petitioner has filed this application under Section 439 CrPC, with prayer for

bail, as he is behind bars since 25.11.2023, in connection with Bongaigaon PS Case No. 498/2023, under Sections 20(b)(ii)(B)/29 of the NDPS Act, 1985, read with Section 4 of the Assam Ganja and Bhang Prohibition Act.

3. Heard Mr B B Gogoi, learned Additional Public Prosecutor for the State of Assam.
4. The petitioner was apprehended on 25.11.2023 with 1.893 kgs of ganja.
5. I have considered the submissions at the Bar with circumspection.
6. I have also perused the Case Diary.
7. There are indeed incriminating materials in the Case Diary as well as in the FIR against the petitioner. However, investigation has progressed to a considerable extent.
8. The petitioner is a local resident and he has pledged to cooperate with the investigation as well as the trial.
9. Considering the submissions at the Bar, the petitioner is granted bail. The petitioner is enlarged on bail of Rs. 50,000/- with a suitable surety of the like amount to the satisfaction of the learned Special Judge, Bongaigaon, under the conditions that:-
 - i) the petitioner shall refrain from such activities with which he is alleged, and
 - ii) the petitioner shall not leave the jurisdiction of the learned trial Court without written permission, till completion of trial.
 - iii) the petitioner shall not tamper with the evidence.

On breach of any bail conditions, bail order shall stand cancelled.

10. Bail Application stands disposed of.

11. Send back the Case Diary.

JUDGE

Comparing Assistant