

GAHC010282152023



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

Case No. : Bail Appln./4549/2023

MD. AKASH ALI
S/O DILBAHAR ALI
R/O NOPARA PAM
P.S. MUKALMUWA
DIST. NALBARI, ASSAM

2: MD. JAINEL ALI
S/O MD. TAIZUDDIN ALI
R/O NOPARA PAM
P.S. MUKALMUWA
DIST. NALBARI
ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR D HUSSAIN

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

05.01.2024

Heard Mr R Kr. Singh, learned counsel for the petitioners, 1) Md Akash Ali and 2)

Md Jainel Ali.

3. The petitioners, 1) Md Akash Ali and 2) Md Jainel Ali have filed this application under Section 439 CrPC, with prayer for bail as they are behind bars since 30.10.2023, in connection with Dispur PS Case No. 2088/2023, under Sections 379/411 IPC, read with Sections 21(b)/29 of the NDPS Act.

3. Heard Mr M P Goswami, learned Additional Public Prosecutor for the State of Assam.

4. I have considered the submissions at the Bar with circumspection.

5. It is submitted at the Bar that the petitioners are behind bars for 66 days.

6. I have considered the length of detention of the petitioners.

7. Charge sheet has not yet been submitted.

8. Considering all aspects and in view of my foregoing discussions, petition is allowed. The petitioners are enlarged on bail of Rs. 50,000/-, with a suitable surety of the like amount, to the satisfaction of the learned trial Court.

9. Bail Application stands disposed of.

10. Send back the Case Diary.

JUDGE

Comparing Assistant