

GAHC010288322023



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

Case No. : Bail Appln./4626/2023

MINTU DAS
S/O SRI PRADIP DAS
R/O VILL- SINGIMARI, P.S. SIPAJHAR,
DIST. DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM
RE. BY THE PP, ASSAM

Advocate for the Petitioner : MR M AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

04.01.2024

Heard Mr. M. Ahmed, learned counsel appearing for the accused petitioner as well as Mr. B. B. Gogoi, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely **Mintu Das**, has prayed for grant of bail in connection with **Sipajhar PS Case No. 101/2023 under Section 21(c)/29 of NDPS Act.**

The case diary, as called for, is placed before the Court.

The case relates to recovery and seizure of 33 KG of Ganja along with the vehicle No. AS-01/AV-8899(Tata Indigo).

Learned counsel for the petitioner submits that nothing was recovered from the possession of the accused petitioner. Police found one vehicle on the road and subsequently it was brought to the police station and after opening the vehicle commercial quantity of ganja was recovered. He further submits that the petitioner was not the owner or the driver of the vehicle and he was arrested after seven months of the alleged incident. Considering his length of detention, his bail prayer may be granted.

Mr. B. B. Gogoi, learned Addl. P.P., Assam appearing for the State respondent has produced the case diary and submits that nothing was recovered from the possession of the accused petitioner and he was arrested only on suspicion.

Accordingly, it is provided that the accused petitioner, named above, shall be released on bail of **Rs. 50,000/-** with two sureties of like amount to the satisfaction of the **learned Special Judge, Darrang, Mangaldai** subject to the following conditions-

- (i) That the accused petitioner shall cooperate with the Investigating Officer as and when required;
- (ii) That the accused petitioner 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 him from disclosing such facts to the Police Officer or the Court; and
- (iii) That the petitioner shall refrain from committing any similar offences in future of which he is accused or suspected of commission.

Return the case diary.

This disposes of the bail application.

JUDGE

Comparing Assistant