

GAHC010292032023



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

Case No. : Bail Appln./4658/2023

SANGYO YANI
W/O PUSPA CHETRY VILL. BANDERDEWA NEAR PTC P.S BANDERDEWA
DIST. PAPUMPARE ARUNCHAR PRADESH

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 23-01-2024

1. Heard Mr. A. Ahmed, learned counsel for the petitioner *Sangyo Yani*.
2. The petitioner has filed this application under *Section 439 of the Code of Criminal Procedure, 1973* with prayer for bail as she is behind bars since 01.12.2023 in connection with Panigaon Police Station Case No. 65/2023 under *Sections 20(b)/29 of the Narcotic Drugs and Psychotropic*

Substances Act, 1985.

3. Heard Mr. B.B. Gogoi, learned Additional Public Prosecutor for the respondent State of Assam.
4. The FIR unfolds that the petitioner was in possession of ganja weighing 10.681 KGs.
5. The learned Additional Public Prosecutor has submitted that there are incriminating materials in the case diary against the petitioner. It is also submitted that the FSL report is not yet received.
6. I have perused the case diary. Indeed there are incriminating materials in the case diary against the petitioner. However, the case diary reveals that investigation has progressed to a considerable extent.
7. It is also submitted on behalf of the petitioner that the petitioner is a lady and she has already been behind bars for 54 (fifty four) days.
8. I have considered the submissions that the petitioner is a local resident and she has pledged to abide by any bail conditions to be imposed upon her.
9. Considering all aspects, petition is allowed.
10. The petitioner is enlarged on bail on furnishing a bail bond of *Rs.30,000/- (Rupees Thirty Thousand)* with a suitable surety of like amount to the satisfaction of the learned Special Sessions Judge, Lakhimpur, North Lakhimpur under the conditions that:
 - (1) The petitioner shall refrain from such activities with which she is alleged.
 - (2) The petitioner shall not leave the jurisdiction of the trial Court

without prior permission till completion of the trial.

(3) The petitioner shall cooperate with the trial and shall not tamper with the evidence.

11. On breach of any of the bail conditions, bail order shall stand cancelled.
12. Send back the case diary.

In the above terms, bail Application stands disposed of.

JUDGE

Comparing Assistant