

GAHC030002132024



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

Case No. : Bail Appln./42/2024

Kapthanruma
Bawngkawn, Aizawl, Mizoram

VERSUS

State of Mizoram and Anr.
Aizawl2:ASI Ruth Lalruatpuii
Excise and Narcotics Department
Govt. of Mizoram
Aizawl
Aizaw

Advocate for the Petitioner : Mr A.R. Malhotra

Advocate for the Respondent : P.P./Addl.PP, Mizoram

B E F O R E

HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

20.05.2024

Heard Mr. C. Tlanthianghlina, learned counsel for the petitioner and Mrs. Mary L. Khiangte, learned Addl. Public Prosecutor for the State respondent.

The petitioner prays for bail under Section 37 of the ND&PS Act due to

alleged possession of 1.053 kgs of heroin on 25.01.2024, in connection with Excise Case No. Ex-Klb No. 51/2024 u/s 21 ND&PS Act.

The petitioner has prayed for bail on the ground that he is not physically fit and requires surgical intervention.

This Court had directed the respondent Jail Authorities to produce the petitioner before the Medical Board, Civil Hospital, Aizawl for examination.

The Medical Board Report dated 16.05.2024 issued by the Chairman, Medical Examination Board cum Senior Medical Superintendent, Civil Hospital, Aizawl is to the effect that the petitioner is found to be physically fit to be kept in Jail custody and no surgical intervention is required at the time of examination.

In view of the above, the petitioner's prayer for bail on medical grounds is rejected.

The letter dated 16.05.2024 issued by the Chairman, Medical Examination Board cum Senior Medical Superintendent, Civil Hospital, Aizawl and the accompanying Certificate are made a part of the record and marked as annexure 'X' collectively.

JUDGE

Comparing Assistant