

GAHC020000842024



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

Case No. : Bail Appln./2/2024

SMTI. MHABENI LOTHIA
W/O INATO ACHUMI
P/R OF XEKIYE VILLAGE, KUHUBOTO
DIMAPUR-797112, NAGALAND

VERSUS

THE STATE OF NAGALAND
KOHIMA NAGALAND

Advocate for the Petitioner : SUPONGWATI WALLING

Advocate for the Respondent : P.P, NAGALAND

**BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

Date : 01.03.2024

Heard Mr. Supongwati, learned counsel on behalf of the petitioner Smti Mhabeni Lotha who has filed this application under section 439 Cr.PC read with section 167 Cr.PC & section 37 NDPS Act for granting bail of the accused Shri Inato Achumi who is behind bars since 20/8/2023 in connection with Akuluto PS

Case No.06/2023 under section 22(c) NDPS r/w/34 IPC r/w 25(1A) Arms Act.

Heard Mr. Kevi Angami, learned P.P. Nagaland.

It is submitted by the learned P.P. that instructions have been obtained that charge-sheet has not yet been laid against the accused Shri Inato Achumi. The allegation against the accused is that he was caught in possession of 130.3 Kg of suspected ganja. Charge-sheet has not been laid against him and he is behind bars for 193 days.

Considering all aspects and in view of the foregoing discussions and considering the length of detention of the accused, the petition is allowed.

The accused Shri Inato Achumi is allowed to go on bail of Rs. One lakh with one local surety to the satisfaction of the arresting authority under the condition that the accused shall co-operate with the investigation and appear before the I.O., after every fortnight till submission of the charge-sheet. The accused should not leave the jurisdiction of the Court without permission and shall refrain from such activities. On breach of any of the bail condition, the bail order shall stand cancelled.

Bail application is disposed of.

**Sd/-
JUDGE**

Comparing Assistant