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

Case No. : Bail Appln./1808/2026

HELAL UDDIN
SON OF MUBARAK ALI
VILLAGE KHALACHARA POLICE STATION KARIMGANJ DISTRICT-SRIBHUMI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M A CHOUDHURY, MR A AHMED,MISS. P M AHMED,U U KHAN,MR. A AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE RAJESH MAZUMDAR

ORDER

Date : 24.08.2026

Heard Mr. A. Ahmed, learned counsel for the petitioner. Also heard the learned Additional Public Prosecutor appearing for the State.

2. This is an application filed under Section 483 BNSS 2023, praying for grant of bail to the accused/petitioner namely, Helal Uddin in connection with Special (NDPS)

Case No.4/2026 arising out of Karimganj P.S. Case No.353/2025 registered under Section 22(C)/25/29 of Narcotic Drug and Psychotropic Substances Act, 1985.

3. The scanned copy of the TCR has been received. The learned Additional Public Prosecutor has gone through the same.

4. The learned counsel for the petitioner has submitted that the petitioner was arrested more than three months after the alleged recovery of the contraband from the co-accused, solely on the basis of the statement made by the co-accused during police interrogation.

5. The learned counsel for the petitioner has brought to the attention of this Court to the charge sheet to indicate that there is nothing in the charge-sheet, which would bring any implication on the petitioner herein. It has been stated that the petitioner has been in custody since 19/12/2025 and there has been nothing on record in the charge sheet to show his involvement in the business of contraband etc. It has, therefore, been submitted that this Court may presume that the petitioner would be able to prove his innocence during the trial proceedings.

6. The learned counsel for the petitioner has further submitted that no past history of the petitioner being involved in the business of contraband has been brought on record and, therefore, this Court may also take into consideration the fact that the petitioner undertakes not to involve himself in any transaction relating to contraband in future. Accordingly, the petitioner prays that his bail petition may be considered.

7. The learned Additional Public Prosecutor has submitted that the statement of the co-accused had led to the arrest of the petitioner and, since the contraband involved is of commercial quantity, release of the petitioner at this stage may hamper or tamper with the trial. However, in the opinion of this Court, the same can be taken care of by imposing strict conditions upon the petitioner for his participation during the trial.

8. Accordingly, it is directed that the petitioner named above shall be released on bail in connection with Special (NDPS) Case No.4/2026 arising out of Karimganj P.S.

Case No.353/2025 registered under Section 22(C)/25/29 of Narcotic Drug and Psychotropic Substances Act, 1985, on furnishing a bail bond of Rs. 50,000/- with two sureties of like amount, one of whom shall be a local surety, to the satisfaction of the learned trial Court.

9. It is further provided that the petitioner shall not involve himself in any offence of similar nature during the pendency of the trial and, in the event of the petitioner failing to comply with the conditions of bail imposed, the prosecution shall be at liberty to bring the same to the notice of the learned trial Court and pray for cancellation of bail. The learned trial Court shall be at liberty to impose such other conditions as it may deem necessary to ensure the participation of the petitioner in the trial proceedings.

10. With the above observation and direction, the bail application stands disposed of.

JUDGE

Comparing Assistant