GAHC010170512020

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

Case No. : Bail Appln./2651/2020

1: IMRAN KHANDAKAR AND ANR
S/O MANJIL HAQUE KHANDAKAR, R/O FULBARI, P.S.-TARABARI, DIST-BARPETA, ASSAM

2: MAHIDUL ISLAM
S/O JAYNAL MIAH, R/O FULBARI, P.S.-TARABARI, DIST-BARPETA, ASSAM

VERSUS

1: THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. JUNM LASKAR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR JUSTICE SONGKHUPCHUNG SERTO

ORDER

Date : 25-11-2020

Heard Mr. J. Laskar, learned counsel for the petitioner.

This is an application under section 439 of Cr. P.C praying for release of the petitioner on bail who is stated to have been under judicial custody since 25.09.2020 in connection with Barpeta P.S Case No. 1950/2020, registered under section 22(a)(b) of NDPS Act.

It is submitted by Mr. N.J. Dutta, learned Addl. P.P., State of Assam that he has received instruction over phone that charge-sheet has not been submitted and the petitioner has already cross

the statutory period of 60 days under judicial custody.

Considering the provision of law under which the petitioner/accused is charged and the submission of the learned Addl. P.P., the petitioner is allowed to go on default bail subject to furnishing a PR bond of Rs. 40,000/- with a surety bond of the like amount, to the satisfaction of the Special Judge (NDPS Act), Barpeta. After his release, the petitioner shall appear before the I.O in connection with the investigation, as and when required to do so by the I.O.

JUDGE

Comparing Assistant