GAHC010172282020

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

Case No. : Bail Appln./2745/2020

DULAL HUSSAIN AND ANR
S/O LATE NOSER HUSSAIN MONDAL, VILL-MAHATOLI, P.S.-BOKO, DIST-KAMRUP, ASSAM

2: KALAM ALI
S/O LATE AMIR ALI
VILL-CHAMORIAPAM
P.S.-BOKO
DIST-KAMRUP
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. N UDDIN

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN

O R D E R

18-12-2020.

By filing this petition under Section 439 of the CrPC, the two petitioners namely Dulal Hussain and

Kalam Ali, who are in custody since 11.11.2020, has prayed for releasing them on regular bail in connection with the Chhaygaon P.S. Case No.1121/2020, under Section 20(b)/29 of the NDPS Act.

Heard the learned counsels for both sides and perused the record.

The status report as called for is not received. On consideration of the FIR as well as the forwarding report, it transpire that 3.831 kg. ganja was recovered from the campus of one Sarbes Ali and he was arrested along with the present two accused petitioners. The amount seized is above the small quantity but below the commercial one.

Considering all entirety and the length of detention of the accused/ petitioners since 11.11.2020, each of the are allowed to go on regular bail of Rs.20,000/- with one surety of like amount, to the satisfaction of learned Special Judge, Kamrup at Amingaon, in connection with the Chhaygaon P.S. Case No.1121/2020.

The bail petition stands disposed of accordingly.

JUDGE

Comparing Assistant