GAHC010177832020

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

Case No. : Bail Appln./2766/2020

MD. ABDUL HANNAN
S/O LATE SONAHAR ALI, R/O VILL-SORUPATHAR, P.S.-JAMUNAMUKH,
DIST-HOJAI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR A SHARMA

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN

O R D E R

10-12-2020.

By filing this petition under Section 439 of the CrPC, petitioner Abdul Hannan who is in custody since 19.03.2020, has prayed for releasing him on regular bail in connection with the G.R. Case No.745/2020 (corresponding to Doboka P.S. Case No.109/2020, under Section 22(c) of the NDPS Act.

Heard the learned counsel for the parties and perused the record.

It is submitted by the learned counsel for the petitioner that the case has already been charge sheeted and charges are also framed against the accused/petitioner and the learned trial Court, after considering the case diary and finding sufficient incriminating materials against the present accused/ petitioner has rejected his bail prayer on the ground that the case is under Section 22(c) of the NDPS Act and the embargo of Section 37 of the NDPS Act comes into play.

That being the position, while the matter relates to commercial quantity, this Court is not inclined to grant the bail, as sought for.

However the petitioner is at the liberty to approach the learned trial Court at a subsequent stage.

The bail petition stands disposed of.

JUDGE

Comparing Assistant