

GAHC010024102026



2026:GAU-AS:2619

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

Case No. : Bail Appln./382/2026

AKASH MAHATO
S/O SIBU MAHATO, R/O VILL RAILWAY LINE GATE NO 1, PS LANKA, PO
LANKA, DIST HOJAI, ASSAM, PIN 782446

VERSUS

STATE OF ASSAM
REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : TAWHID LASKAR, A S CHOUDHURY, MR. D K
AGARWALA, ASHRAFUL BORBHUYAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 20-02-2026

Heard Mr. T. Laskar, learned counsel appearing for the accused applicant and Mr. R. J. Baruah, learned Additional Public Prosecutors for the State.

2. This is an application under Section 483 of the BNSS, 2023 praying for granting bail to the accused applicant, who was arrested on 06.10.2025, in connection with Lanka P.S. Case No. 149/2025 under Sections 21(b)/27(A)/29 of the NDPS Act, 1985.

3. The allegation in the FIR, dated 16.07.2025, is that 15.67 grams of heroin

were recovered from the house of the accused applicant and one Puja Kumari (wife of the accused applicant).

4. Upon receipt of the FIR, the police registered Lanka P.S. Case No. 149/2025 under Sections 21(b)/27(A)/29 of the NDPS Act. After investigation, the police filed Charge-Sheet vide Charge-sheet No. 216/2025, dated 29.10.2025, under the aforementioned sections. Charges have already been framed, and the case is pending trial.

5. Mr. Laskar, learned counsel for the accused applicant, submits that nothing was recovered from the possession of the accused applicant and that he is a daily-wage labourer aged about 21 years, who has already spent 120 days behind bars. He, therefore, submits that bail should be granted to the accused applicant at this stage.

6. Mr. Baruah, learned Additional Public Prosecutor for the State, on the other hand, opposes the bail prayer of the accused applicant.

7. I have considered the submissions made by the learned counsel appearing for the respective parties and have also perused the scanned copy of the Trial Court Record produced by the learned Additional Public Prosecutor.

8. Upon perusal of the Trial Court Record and after taking into account the entire facts and circumstances of the case, this Court is of the considered view that bail should not be granted to the accused applicant at this stage. Accordingly, the bail application stands rejected.

JUDGE

Comparing Assistant