GAHC010063582026

2026:GAU-AS:15185

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

Case No. : AB/669/2026

MAKADDESH ALI
S/O LATE AYET ALI
R/O VILL- KOLABARI, P.S.NORTH SALMARA
DIST. SOUTH SALMARA, MANKACHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

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

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 08-10-2026

Heard Mr. A. Ahmed, learned counsel appearing for the accused applicant and Ms. S. H. Bora, learned Additional Public Prosecutor for the State.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail to the accused applicant, namely, *Makaddesh Ali*, apprehending his arrest in connection with South Salmara P.S. Case No. 26/2026

under Sections 21(b)/29 of the NDPS Act, 1985.

3. The matter relates to the recovery of 85 grams of suspected heroin from the possession of the accused applicant. It is seen from the records that the actual quantity recovered is 07 grams, excluding the weight of the vials. During the pendency of the application, the charge-sheet has been filed in the instant case.

4. The learned counsel for the accused applicant submits that the charge-sheet has been filed in the instant case and that the quantity recovered is only slightly above the small quantity and therefore, the accused-applicant should be granted bail in the instant case.

5. Ms. Bora, learned Additional Public Prosecutor for the State, submits that, since the charge-sheet has been filed in the instant case, the accused applicant may be directed to appear before the jurisdictional Court, subject to appropriate conditions.

6. The Trial Court Record in the instant case has been received.

7. Taking into account the facts and circumstances of the case, this Court is of the opinion that the accused applicant should be granted interim protection till his appearance before the jurisdictional Trial Court.

8. Accordingly, it is directed that, in the event of the arrest of the accused-applicant, namely, *Makaddesh Ali*, in connection with South Salmara P.S. Case No. 26/2026, he shall be released on pre-arrest bail upon furnishing a bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with one surety of like amount to the satisfaction of the learned Special Judge, South Salmara, subject to the condition that the accused applicant shall appear before the learned Trial Court at South Salmara within 10 (ten) days for appropriate relief.

9. In view of the aforesaid direction, the instant anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant