GAHC010187902026

2026:GAU-AS:16156

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

Case No. : Bail Appln./2566/2026

RANA DAS
S/O - LT. RABINDRA KR. DAS, AGED ABOUT 55 YEARS, R/O - VILLAGE CHANDKIRA, W/NO. - 10, P.O. P.S. PATHARKANDI, DIST. SRIBHUMI, STATE ASSAM.

VERSUS

STATE OF ASSAM
REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : TAWHID LASKAR, MS. S NISHA SULTANA

Advocate for the Respondent : PP, ASSAM,

BEFORE

HONOURABLE MR. JUSTICE PRANJAL DAS

O R D E R

04.11.2026

Heard Mr. T. Laskar, learned counsel for the petitioner. Also heard Mr. B. Sharma, learned Addl. P.P. appearing for the State respondent.

2. Invoking section 483 BNSS, the petitioner is seeking regular bail in connection with Patharkandi P.S. Case No.83/2026, registered under Sections

20(b)(ii)(c)/25/29 of the NDPS Act, 1985. He was arrested on 25.06.2026.

3. The gist of the allegations in the FIR dated 25.06.2026 lodged by police official of Patharkandi P.S. based on an information, a search operation was conducted in the house of co-accused Monorul Islam and that contraband by way of 1080.52 kilograms of suspected ganja were recovered. The present petitioner is named as one of the accused persons involved in the alleged offences.

4. Mr. T. Laskar, learned counsel for the petitioner submits that though admittedly the name of the petitioner has been given in the FIR, but it remains to be seen from the investigation material as to whether there any concrete materials to arrive at the finding that he was involved in the alleged offences.

5. The case diary as called for, has been received.

6. The case diary has been placed before me.

7. Mr. Laskar, learned counsel submits that the petitioner Rana Das was merely present in the house of the co-accused Monorul Islam at the time the search operation was conducted and that admittedly the suspected contraband was not recovered from the petitioner's house.

8. The learned counsel submits that the Court will see from the investigation material is to on what basis the petitioner is being sought to be prosecuted in the offences when the contraband has been recovered from the house of the co-accused.

9. The learned Addl. P.P. on the basis of the case diary submits that the contraband was recovered upon showing of the present petitioner and that the police conducted the search operation, when the accused persons were in the process of transferring the contraband to the house of the said Monorul Islam.

10. The case diary has been placed before his Court.

11. In his statement, the petitioner Rana Das has stated about being engaged as a labour to carry some packets to the house of Monorul Islam and that he did not know that the packets contain ganja.

12. However, the investigation materials including the statements of the witnesses state about recovery of the contraband from the house of Monorul Islam and from Rana Das therein.

13. From the investigation materials, I could not find anything to corroborate the story projected by the petitioner Rana Das about his being unaware of the circumstances pertaining to the contraband.

14. In the given facts and circumstances, considering the materials about recovery of the suspected contraband (ganja) falling in the bracket of commercial quantity, I am unable to hold that the test of Section 37 is passed in favor of the accused at this stage. Therefore, it would be statutorily barred to grant bail to the petitioner at this stage and hence his bail petition stands rejected.

15. Return back the case diary.

JUDGE

Comparing Assistant