GAHC010188082026

2026:GAU-AS:16082

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

Case No. : Bail Appln./2572/2026

RUPAM DEY ALIAS NEMU
S/O SUKUMAR DEY R/O AMOLAPATTI P.S SIVASAGAR DIST- SIVASAGAR, ASSAM

VERSUS

THE STATE OF ASSAM
TO BE BY THE REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

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

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 03.11.2026

Heard Mr. U. U. Khan, learned counsel appearing for the accused applicants. Also heard Ms. A. Begum, learned Additional Public Prosecutor appearing for the State respondent.

2. This is an application under Section 483 of the BNSS, 2023 praying for granting

bail to the accused applicant Rupam Dey @ Nemu in connection with Nazira P.S. Case No. 36/2026 under Section 111 BNS read with Section 21 (b)/27A/29 of NDPS Act, 1985.

3. The gist of the case is that SI (UB) Neelkamal Gogoi of Nazira Police Station lodged an FIR on 09.07.2026 before the Officer-In-Charge of Nazira Police Station alleging inter alia that on 09.07.2026 at around 6:25 PM, an information was received about one Rupam Dey was carrying suspected *heroin* and he was coming towards Sivasara from Bihobar side via Nazira.

4. On receipt of the information, the police team apprehended the accused Rupam Dey, who was riding Honda Xoom scooty and recovered suspected *heroin* weighing 49.83 grams with plastic container.

5. On the basis of the FIR, Police registered Nazira P.S. Case No. 36/2026 under the aforementioned Sections.

6. During investigation, it was found that the total quantity recovered was 20.94 grams excluding the plastic container. After investigation, the police filed charge-sheet on 31.08.2026 and thereafter, charge has been framed under the NDPS Act against the accused applicant on 03.10.2026.

7. The learned counsel appearing for the accused applicant submits that since the quantity is of intermediate quantity and the accused applicant is behind the bars for 117 days, the accused applicant should be enlarged on bail. He further submits that the co-accused in the instant case has already been granted bail.

8. Scanned copy of the TCR has been received and the same is perused.

9. Ms. A. Begum, learned Additional Public Prosecutor on the other hand opposes the prayer for bail of the accused applicant.

10. From the record of the TCR, it is revealed that the accused applicant is a habitual offender and he has been alleged to be involved in the drugs business for

quite some time and three cases are still pending against him.

11. Taking into account his antecedents and since the charges have already been framed and trial is proceeded, this Court is not inclined to grant any relief to the accused applicant at this stage.

12. Accordingly, the bail application stands rejected.

JUDGE

Comparing Assistant