GAHC010212052026

2026:GAU-AS:15462

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

Case No. : Bail Appln./2969/2026

DEEP JYOTI DAS
S/O LT NARAYAN DAS, R/O VILL JYOTI TOWN, PS BARPETA, DIST BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. SANU HUSSAIN, MR K THAKUR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

13.10.2026

Heard Mr. S. Hussain, learned counsel for the accused and also heard Mr. P. Borthakur, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

2. This application, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita

(BNSS), 2023, is preferred by accused, namely, Deep Jyoti Das, who has been languishing in jail hazot since 13.09.2026, in connection with Barpeta P.S. Case No.351/2026, under Sections 20(b)(ii)(B)/25 of the NDPS Act, for grant of bail.

3. Notably, the above noted case has been registered on the basis of one FIR lodged by one Pranab Baruah, S.I. of Police, Barpeta P.S., on 13.09.2026. The essence of allegation, made in the FIR, dated 13.09.2026, against the present accused is that he illegally possessed 1.183 kg of Ganja without any relevant documents.

4. Mr. Hussain, learned counsel for the accused, submits that the accused was arrested on 13.09.2026 and since then he has been languishing in jail hazot for last 30 days and that the investigation in this case might have been completed and further detention may not be required and he is ready to cooperate with the investigating agency and therefore, it is contended to allow this application.

5. Per contra, Mr. Borthakur, learned Additional P.P. has produced the case diary before this Court and submits that the investigation progressed significantly and that the I.O. has also received the FSL report, but the same is not available in the case diary.

6. Having heard the submission of learned counsel for both the parties, this Court has carefully gone through the petition and the documents placed on record and also perused the case diary with the assistance of Mr. Borthakur, learned Addl. P.P.

7. It appears that the accused was arrested on 13.09.2026 and since then he has been languishing in jail hazot for last 30 days. Further, from the case diary, it appears that the I.O. has achieved significant progress in the investigation of this case and he even collected the FSL report also. In that view of the matter, custodial detention of the accused seems to be unwarranted in the interest of investigation and therefore, this Court is inclined to allow this application.

8. Accordingly, it is provided that on furnishing a bond of Rs.20,000/-, with one

surety of the like amount to the satisfaction of the learned Special Judge, NDPS, Barpeta, the accused, namely, Deep Jyoti Das, shall be enlarged on bail.

9. In terms of above, the bail application stands disposed of.

10. Case diary be returned.

Sd/- *Robin Phukan*
JUDGE

Comparing Assistant