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

Case No. : Bail Appln./3367/2026

JAMES LALNUNCHARRA AND ANR.
SON OF LATE LUBARAM LALNUNCHARRA, RESIDENT OF VILLAGE KHEDA CHEDA ROAD UNDER DAMCHARRA POLICE STATION IN THE DISTRICT OF NORTH TRIPURA, TRIPURA.

2: SACHINDRA REANG
SON OF LATE DEWANJOY REANG
RESIDENT OF VILLAGE BALIDHAM UNDER DHARMANAGAR POLICE STATION IN THE DISTRICT OF DHARMANAGAR
TRIPURA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY P.P. ASSAM.

Advocate for the Petitioner : MR D TALUKDAR, MS P SAIKIA,MS B GOSWAMI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 16.11.2026

Heard Mr. D. Talukdar, learned Senior counsel assisted by Mr. P. Choudhury, learned counsel for the accused applicants. Also heard Mr. M. P. Goswami,

learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application filed under Section 483 of the BNSS, 2023 praying for grant of bail to the accused applicants namely **1. James Lalnuncharra and 2. Sachindra Reang** in connection with Ratabari Police Station Case No.111/2026 registered under Sections 20(C)/25/29 of the NDPS Act, 1985.

3. The prosecution story in brief is that one Sri Sujit Singha, S/I of Ratabari Police Station lodged an FIR before the Officer-In-Charge, Ratabari Police Station on 09.07.2026 alleging that on receipt of a reliable source information regarding illegal transportation and dealing of suspected narcotic drugs in Raongpur area, a naka checking was arranged and during checking one suspected Scooty bearing registration No. TR-05F-8732 along with accompanying vehicle bearing registration No. MZ-08-7738 was intercepted, while seeing the police the pillon rider of the Scooty namely, Joyrilal @ LK managed to flee from the spot. However, the remaining occupants were apprehended by the police. It is further alleged in the FIR that during search of the Scooty, police recovered 2 black polythene bags concealed under the seat storage compartment of the Scooty. From the black polythene bags, 3 big brown packets were recovered containing approximately 200 suspected YABA tablets. It is alleged that a total of 150 blue colored pouches containing approximately 30,000/- suspected YABA tablets were recovered and the total weight was 3.198 kilograms from the possession of the accused/applicants.

4. On receipt of the FIR, the police registered Ratabari Police Station Case No.111/2026 under the aforementioned sections.

5. Mr. D. Talukdar, learned Senior counsel appearing for the

accused/applicants submits that the accused/applicants were not the accused persons, who were in the scooty, in fact, the accused/applicants were going behind the scooty and during that time, the accused/applicants were apprehended by the police. He submits that the accused/applicants are no way connected with the alleged offence in the FIR and no contraband materials have been seized from the conscious possession of the accused/applicants. He submits that the accused/applicants have been arrested only on the basis of the suspicion and the disclosure made by the other accused persons who were riding the scooty. In view of the above, the learned counsel for the accused/applicants submits that no contraband materials are seized from the conscious possession of the accused/applicants and they have been arrested only on the basis of the statement of the co-accused persons and since those statements are not admissible evidence, the accused/applicants should be granted bail. He submits that since the accused/applicants have already spent 130 days behind bars, therefore, further detention of the accused/applicants may not be required.

6. The Case Diary in the instant case has been received and the same is perused.

7. Mr. M. P. Goswami, learned Additional Public Prosecutor appearing for the State of Assam, on the other hand, opposes the prayer for bail stating that there are sufficient incriminating materials of the involvement of the accused/applicants along with the other co-accuseds in the instant case. He submits that the quantity recovered is a huge quantity weighing more than 3 kgs, which is a commercial quantity and therefore, the rigor of Section 37 NDPS is applicable in the instant case.

8. This Court has considered the submissions made by the learned counsel for the parties and has gone through the materials available in the case dairy.

9. It is seen that the accused/applicants were intercepted along with the vehicle while going behind the scooty, which was ridden by two of the co-accused persons and the disclosures made by the accused/applicants as well as by the co-accuseds are consistent to the fact that all 4 (four) persons involved were acting as a team in dealing with the narcotics. It is also seen from the case diary that all 4 (four) of them had planned to sell to drug abusers.

10. Having found prima facie sufficient materials against the accused/applicants, this Court is not inclined to grant any relief to the accused/applicants at this stage. Accordingly, the prayer for bail stands rejected.

11. In terms of the above, the instant bail application is dismissed.

JUDGE

Comparing Assistant