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2026:GAU-AS:16981

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

Case No. : Bail Appln./3455/2026

PINAK DEB
S/O SRI PRADIP DEB, RESIDENT OF NADIRPAR LAST COLONY, P.S.-LUMDING, DISTRICTHOJAI, ASSAM. PIN-782447.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM.

Advocate for the Petitioner : MR. S C BISWAS, MS. S. CHANDA,MR. BHASKAR ROY,MS. U NANDA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 18.11.2026

Heard Mr. S.C. Biswas, learned counsel, appearing on behalf of the accused-applicant. Also heard Ms. S.H. Bora, learned Addl. P.P., representing the State respondent.

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

granting bail to the accused-applicant in connection with Lumding P.S. Case No. 64/2026, registered under Sections 20(b)(ii)(B)/27(A)/29 of NDPS Act, presently pending in the Court of Special Judge, Hojai, as Special (NDPS) Case No. 72/2026.

3. The prosecution case, in brief, is that on 04.05.2026, at around 08:20 PM, a reliable information was received by the police at Lumding PS to the effect that one person was illegally selling Ganja near Lumding Railway Station Parking Area under Lumding PS. On receipt of the information, the police went to the spot and apprehended the accused-applicant who identified himself as Pinak Deb and from his possession, police recovered 246 grams of suspected Ganja along with case amount of Rs. 3,500/-. During interrogation, the accused-applicant named another person, namely, Liton Dey of peddling of Ganja and thereafter, the police searched the house of Liton Dey and recovered 1.8 Kgs of Ganja.

4. On receipt of the FIR, police registered Lumding P.S. Case No. 64/2026, under the aforementioned Sections.

5. The learned counsel for the accused-applicant submits that the quantity recovered is a small quantity and he is not involved in peddling or selling of Ganja. He further submits that since the accused-applicant is behind bars for the last 198 days and the co-accused is absconding, the starting of trial in the instant case will require some time and therefore, the accused-applicant, at this stage, should be granted bail.

6. Charge-sheet in the instant case has been filed in the month of June, 2026, however, the trial could not proceed because one of the co-accused is found to be absconding.

7. The learned Addl. PP, on the other hand, opposes the prayer of bail of the accused-applicant stating that Section 27(A) is involved in the instant case.

8. This Court has gone through the TCR as well as heard the submissions made

by the learned counsel appearing for the respective parties.

9. Taking into account the materials available in the TCR as well as the entire facts of the case, this Court is of the opinion that the accused-applicant should be released on bail. Accordingly, it is directed that the accused-applicant be released on bail on furnishing a bail bond of Rs. 50,000/- (Fifty Thousand) with a surety of like amount to the satisfaction of the Special Judge (NDPS), Hojai, subject to the following conditions:

1. *That the accused-applicant shall appear before the Trial Court regularly, as and when required and shall not try to hamper the trial in whatsoever manner;*

2. *That the accused-applicant shall not indulge in any activity relating to or connected with NDPS, in violation of the provisions of the said Act;*

3. *That the accused-applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or police.*

10. In terms of the aforesaid direction, the instant bail application is disposed of as allowed.

JUDGE

Miriam Degu
(SPA)