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

Case No. : Bail Appln./3648/2026

SHRI DINOKANTA DAS ALIAS BABU DAS AND ANR
S/O SHRI BHUPEN DAS

2: SMT JYOTIMAI PAYENG DAS
W/O SHRI DINOKANTA DAS ALIAS BABU DAS BOTH ARE RESIDENT OF VILLAGE BHATIA BARI
DHAPAK TINIALI
P.O. KAMALABARI
P.S. DISTRICT MAJULI
ASSAM
PIN -785106

VERSUS

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

Advocate for the Petitioner : DR. S R A NASER, MR. K J GAYAN

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MR. JUSTICE ANJAN MONI KALITA

25.11.2026

Heard Mr. S. R. A. Naser, learned counsel appearing for the accused applicants and also heard Mr. P.S. Lahkar, learned Addl. PP for the State.

2. This is an application filed under Section 483 BNSS, 2023 praying for granting bail to the accused applicants, in connection with Jengraimukh P.S. Case No. 40/2026 registered under Section 303 (2)/317 (2) of the BNS, read with Sections 53(1) (a)/54 of the Assam Excise (Amendment) Act, 2018.

3. The gist of the case is that an FIR was lodged on 01.11.2026 before the Phuloni Out Post of Jengraimukh Police Station alleging that on receipt of an information about the possession and selling of huge quantity of IMFL, the Police intercepted the scooty of the accused applicant, wherein, the accused applicant No. 2 was also riding. From the scooty, the Police recovered 27.255 litters of illicit IMFL.

4. On receipt of the FIR, police registered the same as Jengraimukh P.S. Case No. 40/2026 under the aforementioned sections.

5. The learned counsel appearing for the accused applicant submits that the accused applicants are behind bars for the last 24 days and the punishment for the offence, as alleged, against them may be of 3 years and not beyond that. He submits that the accused applicants are local resident of Majuli and they are willing to cooperate with the investigation, in the event, the accused applicants are enlarged on bail.

6. Mr. P.S. Lahkar, learned Addl. PP, on the other, opposes the bail prayer of the accused applicants by submitting that the Majuli is a district,

wherein, possessing and selling of IMFL is an offence. He submits that the investigation is still at the nascent stage, therefore, the accused applicants should not be granted bail, at this stage.

7. This Court has considered the submissions made by the learned counsel appearing for the respective parties and also considered the materials available in the Case Diary.

8. Taking into account the entire facts as well as the length of detention already undergone, this Court is of the considered opinion that the accused applicants should be granted bail. Accordingly, it is directed that the accused applicants, namely, ***(i) Shri Dinokanta Das @ Babu Das*** and (ii) ***Smti Jyotimai Payeng Das***, be released on bail on furnishing a bail bond of Rs.30,000/- each, with a surety of like nature to the satisfaction of the learned CJM, Majuli subject to the following conditions that:

> (***i) That the accused applicants shall cooperate with the investigation and make themselves available as and when called for by the investigating authority;***
>
> ***(ii) That the accused applicants shall not directly or indirectly make any inducement, threat, or promise to any person who may be acquainted with the facts of the case, so as to dissuade such person from disclosing such facts before the trial court in the trial pending against the accused applicant;***

In terms of the aforesaid directions, this bail application stands

disposed of, as allowed.

JUDGE

Comparing Assistant