

AB 2412/2017

BEFORE

HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN

Heard Mr.B.K. Mahajan, learned counsel for the petitioner. Also heard Mr . B. Sarma, learned Standing Counsel, DRI, for the respondent.

This is an application under Section 438 Cr.P.C. filed by the petitioner, namely Abdul Salam, seeking pre-arrest bail in connection with Directorate of Revenue Intelligence (DRI) Silchar Case No.01/CL/NDPS/DRI/SIL/2012-2013 dated 09.03.2013 under section 25A/22 read with Section 29 of Narcotic Drugs and Psychotropic Substance Act, 1985.

It has been submitted by the learned Standing Counsel, DRI, from the note of the investigating officer, that the custodial interrogation of the accused petitioner at this point of time is not relevant. Accordingly, no objection has been raised regarding granting of bail in connection with the aforesaid case.

This Court while granting bail to one another accused person, namely-Abdul Wahab in B.A. No.860/2016 by order dated 06.09.2016, has observed as follows :-

In view of above, under the facts and circumstances of the case and also in view of legal proposition that the rigour of Section 37 is not applicable in this case while article is not psychotropic substances or Narcotic Drugs & .

Considering the submissions made before this Court, without further elaborating into the case, the present accused petitioner is also granted the privilege of pre-arrest bail.

Accordingly, the accused petitioner abovenamed is directed to surrender before the Court of learned Sessions Judge, Cachar at Silchar and, on such appearance, he is allowed to go on bail on his furnishing bail bond of Rs.20,000/- with two sureties of the like amount to the satisfaction of the Special Judge, Cachar at Silchar.

The bail application stands disposed of.