

GAHC010065182019



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

Case No. : Bail Appln. 724/2019

1:HOSSAIN ALI SK.
S/O LATE SADER ALI, R/O VILL-DHARMASALA PT-IV, P.S. AND DIST-
DHUBRI, ASSAM

VERSUS

1:THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A RAHMAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

Date : 29-03-2019

This is an application, filed under Section 439 Cr.PC, praying for bail of the accused-petitioner, namely, Hossain Ali Sk., in connection with Dhubri PS Case No. 103/2019 under Section 20(b) NDPS Act.

Heard Mr. A. Rahman, learned counsel for the accused-petitioner as well as Mr. T.K. Mishra, learned Additional Public Prosecutor for the state respondent.

Perused the petition as well as the annexures furnished therewith.

It has been submitted by the learned Additional Public Prosecutor that investigation in this case has not been completed and charge-sheet has not been laid till date. In the meantime, the statutory period prescribed for completion of investigation of the case is over. The accused-petitioner has been in custody for 69 days as on date and the offence is under Section 22(b) of NDPS Act. Considering the fact that the statutory period for completion of

investigation is over and the period of detention for 69 days as on date, the accused-petitioner is granted bail on his furnishing a bail bond of Rs. **25,000/-** with two suitable sureties of the like amount to the satisfaction of the learned Special Judge, Dhubri, on the following conditions :

- (1) The accused-petitioner shall not leave the territorial jurisdiction of the learned Special Judge, Dhubri, without prior written permission from the said learned court,
- (2) The accused-petitioner shall not hamper with the investigation, or tamper with the evidence of the case, and
- (3) The accused-petitioner 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 him from disclosing such facts to the Court or to any police officer.

The learned Special Judge, Dhubri, shall be at liberty to put any other conditions considered appropriate in addition to the conditions mentioned above.

The petition stands disposed of accordingly.

JUDGE

Comparing Assistant