

GAHC010067862020



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

**Case No. : Bail Appln. 854/2020**

1: MANUWARA BEGAM AND ANR.  
W/O- SATTAR ALI, R/O- GANDHIBASTI RAILWAY LINE, P.S. CHANDMARI,  
DIST.- KAMRUP (M), ASSAM

2: SABIYA BEGAM  
W/O- AKBAR ALI  
P.S. CHANDMARI  
DIST.- KAMRUP (M)  
ASSA

VERSUS

1: THE STATE OF ASSAM  
REP. BY P.P., ASSAM

**Advocate for the Petitioner : MR. S MUNIR**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HON'BLE THE CHIEF JUSTICE MR. AJAI LAMBA**

30.03.2020

1. Manuwara Begam and Sabiya Begam have filed this application for bail under Section 439 of the Code of Criminal Procedure, 1973 in Chandmari P.S. Case No.290/2020 under Section 21(a) NPDS Act.

2. The Court proceedings have been conducted by means of creating a Virtual Court with the help of technology, so as to maintain distance between the staff, Advocates and the Presiding Judge.
3. Learned counsel for the applicants has not appeared.
4. I have heard Mr. NJ Dutta, learned Additional Public Prosecutor, Assam for the respondent.
5. I have gone through the pleadings in the application and accompanying documents.
6. It is not in dispute that accusation is of recovery of 1 g 37 mg of Heroin from both the accused persons collectively. It is further not in dispute that the recovery made would be small, and not commercial.

It is further not in dispute that no purpose of investigation would be served by keeping the applicants in custody any further in so much as remand period has already expired.
7. I have taken into account the fact that there is no material to indicate criminal history of the applicants.
8. Considering the facts and circumstances collectively, the application is allowed.
9. It is hereby directed that the applicants, namely Manuwara Begam and Sabiya Begam be released on bail on their furnishing bail bonds to the satisfaction of the Special Judge, Kamrup at Guwahati.
10. It is further directed that in case the applicants approach any witness or delay the trial, the

prosecution would be at liberty to seek cancellation of bail of the applicants.

11. Let a copy of this order be provided under the signature of the Court Master.

CHIEF JUSTICE

**Comparing Assistant**