

GAHC010122222021



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

Case No. : Bail Appln./1906/2021

JANARDAN BORDOLOI AND ANR
S/O SRI DEBEN BORDOLOI, R/O VILL-BEGENAKHUA, CHANDAN NAGAR,
P.S. AND P.O.-GOLAGHAT, DIST-GOLAGHAT, ASSAM

2: ANUP DAS
S/O LATE AJIT DAS
R/O WRD NO. 05
UDAY NAGAR
P.S. AND P.O.-GOLAGHAT
DIST-GOLAGHAT
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. M BISWAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

Date : 31-08-2021

Heard Mr. M Biswas, learned counsel for the petitioners. Also heard Mr. D Das, learned Additional Public Prosecutor, appearing for the State.

This is an application, filed under Section 439 of the Cr.PC. seeking bail of the accused-petitioners, namely, **1. Janardan Bordoloi** and **2. Anup Das**, in connection with **Golaghat Police Station Case No. 701/2021** registered under Sections 22(a)/27 of the NDPS Act.

Perused the petition as well as the annexures furnished therewith.

Mr. Biswas, learned counsel for the petitioners has submitted that the petitioner No. 1 is a drug addict and to that effect, he has produced two certificates along with an additional-affidavit.

On perusal of the same, this Court is convinced that the petitioner No. 1 is a drug addict. So far the petitioner No. 2 is concerned, nothing was recovered from his possession and he is said to be a carpenter by profession and at the relevant point of time, he was at the house of the petitioner No. 1.

Mr. Biswas, learned counsel for the petitioners further submits that the accused-petitioners have been in custody for 36 (thirty two) days, as on date.

On considering the above facts and the materials placed before this Court, this Court is inclined to grant bail to the petitioners. Therefore, granted.

Accordingly, the accused-petitioners, named above, shall be released on bail in connection with the abovementioned case on furnishing bail bond of Rs. 15,000/- each with a suitable surety each of the like amount, to the satisfaction of learned Special Judge, Golaghat under the NDPS Act.

The direction for bail is further subject to the conditions that the accused-petitioners:

- (a) shall not leave the territorial jurisdiction of learned Special Judge, Golaghat under the NDPS Act, without prior written permission from him;
- (b) shall not hamper with the investigation, or

tamper with the evidence of the case; and

- (c) 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 petition stands disposed of accordingly.

JUDGE

Comparing Assistant