

GAHC010024722023



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

**Case No. : Bail Appln./446/2023**

SALIM UDDIN LASKAR  
S/O MIZAZUL HAQUE LASKAR, VILL AND P.O.-NITAINAGAR PART-II, P.S.-  
HAILAKANDI, DIST-HAILAKANDI, ASSAM, PIN-788155

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner : MR. S B LASKAR**

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

**BEFORE**  
**HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

**ORDER**

**Date : 28.02.2023**

Heard Mr. H.A. Laskar, learned counsel for the petitioner. Also heard Mr. M.P. Goswami, learned APP appearing for the State.

2. The petitioner, who was arrested on 02.01.2023, is seeking regular bail under section 439 Cr.P.C. in connection with Basistha P.S. Case No.

1035/2022, under sections 21(a)/29 NDPS Act, corresponding to G.R. Case No. 9691/2022, pending before the Court of learned Sessions Judge, Kamrup (Metropolitan), Guwahati.

3. The learned APP has produced the case diary and opposed the prayer for bail.

4. On perusal of the case diary, it appears that 3.12 grams of heroin was seized from three boys and although the petitioner is not named in the FIR, he is involved in the drug peddling.

5. Although there are sufficient incriminating materials against the petitioner, but as the petitioner has suffered custody of 56 days as on date, the Court is of the considered opinion that further custodial interrogation of the petitioner may not be necessary. Hence, the Court is inclined to grant bail to the petitioner, namely, Salim Uddin Laskar in connection with the aforesaid case on furnishing bail bond of Rs.50,000/- with one solvent surety of like amount to the satisfaction of the learned Special Judge, NDPS, Kamrup (Metropolitan), Guwahati.

6. Bail is granted on the following conditions:

- I. The petitioner shall make himself available to the police or any other investigating agency or Court in the present case as and when required.
- II. The 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 Court or to any police officer or tamper with the evidence. He shall not, in any manner,

try to overawe or influence or intimidate the prosecution witness.

III. The petitioner shall not obstruct the smooth progress of the investigation/trial.

IV. The petitioner shall not misuse his liberty in any manner.

V. The petitioner shall appear before the I/O within 15 (fifteen) days from the date of his release and he shall continue to appear once in every month till his appearance is dispensed with or charge-sheet is filed, whichever is earlier.

7. If the I/O finds that the petitioner is involved in any similar offence, it would be open to the I/O or any other investigating agency to move the jurisdictional Court and apply for cancellation of bail.

8. This application stands disposed of.

9. Case diary is returned.

**JUDGE**

**Comparing Assistant**