

GAHC010066752025



2025:GAU-AS:3677

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

Case No. : Bail Appln./952/2025

JANTI MORAN
S/O. MONESHWAR MORAN, R/O. 2NO. DIKHARI MORAN GAON, P/S.
MORAN, PIN-785675, DIST. DIBRUGHAR, ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP ASSAM

Advocate for the Petitioner : MR. B BORGOHAIN, MR B SAIKIA,MR. S NEOG,MS. S G BARUAH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 28-03-2025

Heard Ms. S.G. Baruah , the learned counsel for the petitioner and also heard Mr. K. K. Das, the learned Additional Public Prosecutor appearing on behalf of the State respondent.

2. This is an application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, with prayer for bail as the petitioner is behind bars since 17.02.2025 in connection with Moran P.S. Case No. 12/2025 corresponding to GR Case No. 209/2025 u/s 20(b)(ii)(A)/29 of NDPS Act.

3. It is submitted by Ms. Baruah that the present accused/petitioner is behind the bars since 17.02.2025 i.e. 39 days and thus the Investigating Officer has got sufficient opportunity to interrogate him in the custody. Further she submitted that surprisingly in the FIR, Seizure List and Forwarding Report, the quantity of the contraband is mentioned as 0.625 gram but in the inventory it has been mentioned as 625 gram and prayer for disposal of the contraband was also made immediately on 18.02.2025 and the same was also disposed of accordingly. Further it is submitted that the contraband which was alleged to have been recovered from the possession of the accused-petitioner is much lesser than a small quantity and considering his length of detention, he may be released on bail.

4. Mr. Das, the learned Additional Public Prosecutor submitted in his regard that the contraband which was recovered from the possession of the accused/petitioner is small quantity but Case Diary will reveal the actual fact of the case, whether the petitioner is a consumer or a drug peddler.

5. Considering the submissions made by learned counsel for both sides, the gravity of the offence vis-à-vis the length of detention already undergone by the accused/petitioner, I find that further custodial detention may not be required for further investigation of the case. Accordingly, I find it is a fit case to enlarge the accused/petitioner on bail.

6. Accordingly, the accused/petitioner is released on bail on furnishing a bond

of Rs. 20,000/- (Rupees twenty thousand) only with one surety of like amount to the satisfaction of the learned CJM, Dibrugarh. The accused/petitioner, namely Sri Janti Moran, be enlarged on bail, subject to the following conditions:-

- (i) that the petitioner shall make himself available for interrogation by the Investigating Officer as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threaten or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer; and
- (iii) that the petitioner shall not leave the jurisdiction of the learned CJM, Dibrugarh without prior permission.

The Bail Application stands disposed of.

JUDGE

Comparing Assistant