

Crl. Misc. (B) Case No. 704/2021

ORDER

04-12-2021

This is a bail application under Section 439 CrPC, supported by an affidavit, submitted by the petitioner Sri Uttam Debnath through learned Counsel praying for granting bail to accused Sri Amit Debnath @ Raju in connection with Chabua PS Case No. 231/2021 corresponding to GR Case No. 4168/2021 under Section 20 (b) of NDPS Act.

The allegation as per FIR dtd. 24.10.2021 of SI Maidul Islam is that on the basis of secret information, police conducted search operation in the house of the accused person and was able to recover 250 grams of suspected ganja which seized in the presence of witnesses.

Heard the learned counsel for the accused and learned Public Prosecutor.

Learned counsel for the accused submits that small quantity of suspected Ganja was allegedly found from the possession of the accused; that the accused has been falsely implicated in this case and that the accused is the only earning member of his family and due to his detention, his family is suffering from financial hardship.

Perused the Case Diary.

Considering the matter in its entirety, small quantity of alleged contraband found from the possession of the accused and the period of detention, the instant petition is allowed.

It is directed that the accused person, namely, Sri Amit Debnath @ Raju be released on bail of Rs.30,000/- with one surety of like amount to the satisfaction of the learned Elaka Magistrate. It is further directed that the said accused person (i) shall not commit an offence similar to the offence of which he has been suspected of; (ii) fully cooperate in the investigation of the case and appear before the investigating officer as and when required and (iii) he 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/her from disclosing such facts to the Court or to any other police officer or tamper with the evidence.

Return the Case Diary along with a copy of this order.

Misc. CrI. (B) Case accordingly stands disposed of.

Sessions Judge

Dibrugarh