

Crl. Misc. (B) Case No. 29/2022

ORDER

08-02-2022

This is a bail application under Section 439 CrPC, supported by an affidavit, submitted by the learned Counsel praying for granting bail to accused Sri Rituraj Pator in connection with Duliajan PS Case No. 15/2022 corresponding to GR Case No. 108/2022 under Section 21(a) of NDPS Act.

Case Diary called for has been received.

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

Learned Counsel for the accused relying on the copy of the prescription of Dr. Nazim Ahmed Saikia in the name of the accused submits that the accused is a psychiatric patient being a consumer himself and was under the care of Dr. Nazim Ahmed Saikia. Learned Counsel submits that the accused ought to be given a chance to rehabilitate and that prolonged detention would deteriorate his health condition.

Perused the Case Diary.

Considering the matter in its entirety, quantity (4.7 grams) of alleged contraband recovered 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 Rituraj Pator be released on bail of Rs. 25,000/- with one surety of like amount in connection with Duliajan PS Case No. 15/2022.

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
Sessions Judge
Dibrugarh