GAHC010220742026

2026:GAU-AS:15815

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

Case No. : Bail Appln./3141/2026

KOSER ALI
S/O BAHADUR MONDAL, VILLAGE BAGRIBARI, P S BILASHIPARA,
DISTRICT DHUBRI, ASSAM, PIN 783349

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. A Z AHMED, MR. H ALI,MR A MALEK

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 15-10-2026

1. Heard Mr. A. Malek, the learned counsel appearing for the accused-applicant. Also heard Mr. K.K. Parasar, the learned Addl. P.P, Assam appearing for the State.

2. This is an application filed under Section 483 of the BNSS, 2023, praying for granting bail to the accused-applicant, namely **Koser Ali** in

connection with **Special NDPS Case No.15/2026** arising out of **Rowta P.S. Case No.05/2026** registered under Sections **20(b)(ii)(C)** of the NDPS Act, 1985.

3. An FIR was lodged on 22.01.2026 by one SI Prabodh Ch. Nath before the O/C, Rowta Police Station, alleging that on 21.01.2026 at around 09.05 p.m, police received an information from reliable source that a three wheeler e-rickshaw bearing registration No.AS-13-AC-7235 was carrying Ganja from Rowta station side towards Dalgaon side. Accordingly, police proceeded to the place and stopped the e-rickshaw on NH-15. On checking, the police recovered one red-coloured bag, one black and silver colored bag and one dark-green coloured bag. From the aforesaid three bags, total of 15.190 kgs of suspected ganja was recovered. The two persons in the vehicle admitted that the ganja belonged to them and the same was purchased from one Promod Basumatary for an amount of Rs.40,000/-.

4. On the basis of the FIR, police registered Rowta P.S. Case No.05/2026 under the aforementioned sections. Police arrested the accused persons on 22.01.2026 itself and since then they are behind bars.

5. The learned counsel appearing for the accused-applicant submits that the accused-applicant is not involved in the instant case and taking into account his length of detention, the accused-applicant should be granted bail at this stage.

6. The case diary in the instant case has been received.

7. The learned Addl. P.P., on the other hand, opposes the prayer for bail, submitting that the matter is fixed for production of the accused-applicant and therefore, bail should not be granted at this stage.

8. Taking into account the entire facts of the case, this Court is not inclined to grant any relief to the accused applicant at this stage.

9. Accordingly, the bail application is rejected at this stage.

JUDGE

Comparing Assistant