

GAHC040020282025



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

Case No. : BA/154/2025

Maya Sharma Wife of Shariful Khan, resident of House No.143, Ranganadi, No.2
Parbatipur, PO Merbil, PS Laluk (OP Harmoti), District Lakhimpur, Assam.

VERSUS

The State of AP represented by the PP of AP

Advocate for the Petitioner : Gautam Phukan,
Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 07.01.2026

Heard Mr. Gautam Phukan, learned counsel for the petitioner. Also heard Mr. Token Ete, learned Additional Public Prosecutor, Arunachal Pradesh.

2. This application has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking release of the accused on bail who was arrested on 21.11.2025 in connection with Banderdewa P.S. Case No. 81/2025, registered under Section 21(b)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. For consideration of the bail, the CD was called for.

4. At this stage, Mr. Ete, learned Additional Public Prosecutor, Arunachal Pradesh, submits that after completion of the investigation, the case has been

returned into final report on 27.12.2025. He further submits that the suspected seized contraband articles which was forwarded for FSL has been received back from the Arunachal Pradesh FSL, PTC Banderdewa. As per the FSL report, the samples did not match with the controlled standard and the exhibited contraband substance, does not come under the purview of the Narcotic Drugs and Psychotropic Substances Act, 1985.

5. It is further submitted that although the final report has been filed before the learned trial Court, however, the Court is yet to accept the same.

6. In view of the above submission of the learned Additional Public Prosecutor, Arunachal Pradesh, that the case has been returned into final report, nothing survives in the case for consideration of this bail application filed for release of the accused.

7. Accordingly, the accused Shri Shariful Khan @ Akalu is directed to be released on bail in connection with Banderdewa P.S. Case No. 81/2025, registered under Section 21(b)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, upon furnishing a bail bond of Rs. 10,000/-(Rupees ten thousand) only with one surety of like amount to the satisfaction of the Special Court, NDPS Act, Yupia.

8. With the above directions, the bail application stands allowed and disposed of.

JUDGE

Comparing Assistant