

BA. No. 5 of 2014

26.3.2014

HON'BLE THE CHIEF JUSTICE

Mr. MF Qureshi, Advocate, present for the applicant.

Mr. ND Chullai, Sr. Govt. Advocate, assisted by Mrs. NG Shylla, Govt. Advocate, present for the respondents.

Heard.

This Bail Application has been moved on behalf of accused, Shri GH Ginthiansiam Simte who was arrested in connection with Madanryting P.S. Case No. 4 (4) of 2013 relating to offence punishable under Section 21(c) NDPS Act on 20-1-2013.

69.86 grams of heroin is said to have been recovered from the five accused.

Learned counsel for the State pointed out that as many as seven witnesses of fact have been examined and trial is at the concluding stage.

Learned counsel for the applicant submitted that the accused cannot be kept in jail for an indefinite period, particularly when the actual recovery has been shown from co-accused, Smti Niang Simte and compliance of Section 42 of the NDPS Act, 1985 has not been made.

Having heard learned counsel for the parties and after going through the papers on record, without expressing any opinion as to the final merits of the case, this Court is not inclined to grant bail to the accused at this stage.

Accordingly, the Bail Application is rejected with the observation that the trial court (Special Judge, NDPS) East Khasi Hills, Shillong shall conclude the trial as expeditiously as possible as the accused are in jail. Registry is directed to send the copy of the order to the Special Judge, NDPS, East Khasi Hills, Shillong for expeditious conclusion of the trial.

(Prafulla C.Pant)
CHIEF JUSTICE

S.Rynjah

Cont.Cas(C). No. 38 of 2013

26.3.2014

HON'BLE THE CHIEF JUSTICE

Ms. QB Lamare, Advocate, present for the applicant/petitioner.

Mrs. T.Yangi, Advocate, present for the respondents.

Affidavit-in-opposition has been filed on behalf of the respondents No. 1 and 2. Same be taken on record.

Learned counsel for the petitioner prays for and is allowed 3(three) weeks' time to file the rejoinder affidavit.

List after 3(three) weeks.

S.Rynjah

CHIEF JUSTICE

Cont.Cas(C). No. 39 of 2013

26.3.2014

HON'BLE THE CHIEF JUSTICE

Ms. QB Lamare, Advocate, present for the applicant/petitioner.

Mrs. T.Yangi, Advocate, present for the respondents.

Affidavit-in-opposition has been filed on behalf of the respondents No. 1 and 2. Same be taken on record.

Learned counsel for the petitioner prays for and is allowed 3(three) weeks' time to file the rejoinder affidavit.

List after 3(three) weeks.

S.Rynjah

CHIEF JUSTICE

Cont.Cas(C). No. 24 of 2013

26.3.2014

HON'BLE THE CHIEF JUSTICE

Ms. B.Das, Advocate, present for the petitioner.

Mr. ND Chullai, Sr. Govt. Advocate, present for the state respondents.

Mr. A. Vaswami, Advocate, present for the respondents No. 1, 2 and 5.

Learned counsel for the petitioner states that rejoinder affidavit has already been filed to the counter affidavit filed on behalf of respondent No. 3. As for the other respondents, learned counsel for the petitioner stated that no rejoinder affidavit is required to be filed against them.

List after 3(three) weeks.

S.Rynjah

CHIEF JUSTICE

MC[WP(C) No. 67 of 2014

In WP(C). No. 224 of 2014

26.3.2014

HON'BLE THE CHIEF JUSTICE

Mr. AH Hazarika, Advocate, present for the petitioner.

Mr. R Deb Nath, CGC, present for the respondents.

This correction application has been moved for correction in the order dated 14-3-2014 passed by Hon'ble Mr. Justice, S.R.Sen in WP(C) No. 224 of 2011.

List this application tomorrow before Hon'ble Mr. Justice S.R.Sen.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 5 of 2014

26.3.2014

HON'BLE THE CHIEF JUSTICE

Mr AS Siddiqui, Advocate, present for the petitioner.

Mr. S.Sen Gupta, Govt. Advocate, present for the respondents No. 1 and 2.

Mr. JM Thangkhiew, Advocate, present for the respondents No. 3 and 4.

Affidavit-in-opposition has been filed on behalf of respondents No. 3 and 4. Same be taken on record.

Learned counsel for the petitioner prays for and is allowed 2(two) weeks' time to file the rejoinder affidavit to the counter affidavit filed on behalf of respondents No. 3 and 4.

List after 2(two) weeks. Meanwhile, respondents No. 1 and 2 may also file the counter affidavit.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 38 of 2014

26.3.2014

HON'BLE THE CHIEF JUSTICE

Mr. K. CH. Gautam, Advocate, present for the petitioner.

Mr. R. Deb Nath, CGC, Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 2(two) weeks' time to file the counter affidavit.

List after 2(two) weeks.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 182 of 2013

26.3.2014

HON'BLE THE CHIEF JUSTICE

Ms A.Kharumnuid, Advocate, present for the petitioner.

Mr. AH Hazarika, Govt. Advocate, present for the respondents.

Learned counsel for the petitioner prays for and is allowed further 2(two) weeks' time to file the rejoinder affidavit.

List after 2(two) weeks.

S.Rynjah

CHIEF JUSTICE

WP(C). No. 219 of 2013

26.3.2014

HON'BLE THE CHIEF JUSTICE

Shri L.Lyngdoh, Advocate, present for the petitioners.

Shri S. Sen Gupta, Govt. Advocate, present for the respondents
No. 1 to 3.

Affidavit-in-opposition has been filed on behalf of respondent No. 4.
Same be taken on record.

Learned counsel for the petitioners prays for and is allowed 2(two)
weeks' time to file the rejoinder affidavit.

List after 2(two) weeks.

S.Rynjah

CHIEF JUSTICE

