

**ORDER-SHEET FOR MAGISTRATE'S RECORDS**  
**DISTRICT : SONITPUR.**  
**IN THE COURT OF SESSIONS JUDGE, SONITPUR AT TEZPUR**  
**Criminal (Bail) No. 415/2022**

**Sri Tulsi Nayak**

**Vs.**

**State of Assam**

<b>Sl. No. of Orders</b>	<b>Date</b>	<b>Order</b>	<b>Signature</b>
	<b><u>14-09-22</u></b>	<p>This is an application u/s 438 Cr.P.C. filed by accused/petitioner Sri Tulsi Nayak seeking pre-arrest bail in connection with Jamuguri PS Case No. 95/2022 u/s 20(b) of NDPS Act, corresponding to G.R. Case No. 1465/2022.</p> <p>I have heard the learned lawyers appearing for both sides and also perused the case diary.</p> <p>Learned counsel for State submitted that it is a serious case of dealing with contraband drugs since long and there are sufficient materials emerged in the case diary against accused/petitioner Sri Tulsi Nayak. It is also submitted that co-accused Usha Nayak wife of accused/ petitioner Tulsi Nayak is already languishing in judicial custody. Therefore, learned counsel submitted that accused do not deserve pre-arrest bail.</p> <p>On the other hand, learned counsel appearing for the accused/ petitioner submitted that the wife of accused/petitioner has already been languishing in judicial custody in connection with the instant case and they have infant children to look after. In absence of both mother and father, they will suffer a lot. Therefore, learned counsel prays for pre-arrest bail.</p> <p>Having heard the contention of the learned lawyers appearing for both sides and on careful perusal of contents of the case diary, it transpires that on 21-07-2022 at 1.15 PM police conducted raid in the house of accused petitioner and during executing the raid, accused petitioner Sri Tulsi Nayak fled away from his house. However, police able to apprehend his wife accused Smti Usha Nayak and also recovered &amp; seized 1 Kg of suspected ganja from the house.</p>	

		<p>As it seems, accused/ petitioner was prima facie found involved with the alleged offence of dealing with contraband drugs.</p> <p>Situated thus, considering the incriminating materials in case diary and the nature and gravity of the case, this court do not consider it a fit case to extend the benefit of pre-arrest bail.</p> <p>In the result, bail petition stands rejected.</p> <p>Send back the case diary in seal cover.</p> <p>Accordingly, the bail petition is disposed of.</p>	<p>Sessions Judge, Sonitpur, Tezpur.</p>
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