

GAHC010124652023



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

Case No. : Bail Appln./1975/2023

MISS NARJINA BEGUM @ MRS. NARZINA BEGUM AND ANR.
W/O MD. HABIBUR RAHMAN R/O VILL. NO. 2 SONAPUR BANGALMAR P.S.
BIHPURIA DIST. LAKHIMPUR ASSAM

2: ABDUL MANAN @ MD. ABDUL MUNNAS
S/O LT. ABDUL MASJID R/O VILL. NO. 2 SONAPUR BANGALMAR P.S.
BIHPURIA DIST. LAKHIMPUR ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A CHAUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 23-06-2023

- 1.** Heard Mr. A. Choudhury, learned counsel for the petitioners.
- 2.** The petitioners, namely, [1] Miss Narjina Begum @ Mrs. Narzina Begum and [2] Md. Abdul Manan @ Md. Abdul Munnas have filed an application under Section 439 Cr.PC with

prayer for bail as they are in custody since 20.05.2023 in connection with Gohpur P.S. Case No. 100/2023 u/s 120B/420/328/392 IPC.

3. Heard Mr. R.J. Barua, learned Addl. P.P., Assam.

4. I have considered the submissions at the bar with circumspection. It is submitted at the bar that the petitioners are innocent. The petitioner No. 1 has been arrested as her husband was evading arrest. The petitioner No. 2 is the father of the absconding accused Habibur Rahman. The FIR was sent to the concerned police station through registered post. The complainant is a resident of Punjab. It is alleged that the complainant was called from Punjab to purchase gold through a Whatsapp message. The lady has sent a Whatsapp message stating that antique gold was kept by her family for several decades. Thereafter the lady posing as Sona Das induced the complainant to pay her Rs. 4 lacs in the pretext that she is in dire need of money and she was willing to mortgage gold in lieu of the money. The complainant went to the given address and met the accused who offered him snacks and tea but after sometime the complainant became unconscious and finally when he regained consciousness he found that his bag with cash worth Rs. 4 lacs was missing along with his mobile and he found himself in an unknown place.

5. It is submitted at the bar that both the petitioners are not aware about the incident as alleged in the FIR. The petitioners have already been in custody for 35 days. The Case Diary reveals that the investigation has progressed to a considerable extent. The petitioners are local residents and they have pledged to co-operate with the investigation.

6. In view of my foregoing discussions, petition is allowed. Both the petitioners are enlarged on bail of Rs. 30,000/- each with a suitable surety of like amount to the satisfaction of the SDJM(M), Gohpur under the conditions that the petitioners will co-operate with the investigation and they will not leave the jurisdiction of the Court without prior permission till completion of the investigation.

JUDGE

Comparing Assistant