

GAHC010153732023



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

Case No. : Bail Appln./2451/2023

SAHIL AKHTAR
S/O- KASHIM ALI,
R/O- VILL.- CHESA MUKH,
P.S.- HAJO, DIST.- KAMRUP,
ASSAM.

VERSUS

THE STATE OF ASSAM
REP. BY P.P., ASSAM.

Advocate for the Petitioner : MR S H SIKDAR

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY
ORDER

03.08.2023

1. This is an application made under Section 439 Cr. P.C. seeking bail by the accused/petitioner, namely, **Sahil Akhtar**, who were arrested on

14.07.2023 in connection with Hajo PS Case No. 465/2023 being registered under Sections 354A/354B/294/506 of IPC.

2. Heard Mr. S. H. Sikdar, learned counsel for the petitioner. Also heard Mr. R. R. Kaushik, learned Additional Public Prosecutor for the State of Assam who produced the Case Diary.
3. The petitioner was arrested on 14.07.2023 and he is behind bar for last 19 days.
4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Investigation is almost over and statement of accused has thoroughly been interrogated by the investigating agency. There is no legal evidence against the present petitioner to connect him with the alleged offence. The learned Counsel further submits that the petitioner is in custody since 14.07.2023 and the conclusion of trial will take sufficient time. On the aforesaid grounds, prayer is made to release the petitioner on bail.
5. Learned Additional Public prosecutor for the State has seriously opposed the application and prayed for its rejection.
6. Looking to the facts and circumstances of the case and on a perusal of the material available on record including the case diary and also the advance stage of investigation and period of detention, without commenting on the merits of the case, this Court is of the opinion that no further custodial interrogation/detention is required. Accordingly, the present application is allowed.

7. It is directed that the petitioner, name above, be released on bail in connection with the case aforementioned, on his furnishing a personal bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety in the like amount to the satisfaction of the learned Judicial Magistrate 1st Class, Hajo, Kamrup with the following conditions:-

- (a) Shall not leave the territorial jurisdiction of learned Judicial Magistrate 1st Class, Hajo, Kamrup, without prior written permission from him;
- (b) Shall not hamper with the investigation of the case and tamper with the evidence of the case;
- (c) Shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police office.
- (d) Till the completion of the trial, the petitioner shall not contact towards the victim and victim's family, either physically, or through phone call or any other social media, through any other mode, nor shall unnecessarily roam around the victim's home.
- (e) If any condition is violated, the bail granted to the petitioner is liable to be cancelled.

In terms of the above, this bail application stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant