

GAHC010158082023



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

Case No. : Bail Appln./2561/2023

MOZAHIDUL MONDAL @ MD. MOZAHIDUL MANDOL
S/O TASLIM UDDIN @ MD. TASLEMUDDIN
VILL- SASTRARGHAT PART-II
P.S. AND DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A T SARKAR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

Date : 27.07.2023

Heard Mr. AT Sarkar, learned counsel for the accused petitioner as well as Mr. B. Sarma, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Mozahidul Mondal @ Md. Mozahidul Mandol** has prayed for grant of bail in connection with **Dhubri P.S. Case No.191/2023** (GR No.798/2023) under

Sections 120B/121/121A of the IPC, R/W Sections 17/19/20/21/39/40 of UA (P) Act.

It is noticed that the accused petitioner has been in judicial custody since 25.04.2023, i.e. for 93 days.

The brief fact of the case is that as per secret information, the informant learnt that the present petitioner along with two other FIR named accused persons were involved in an Ansarullah Bangla Team (in short, 'ABT') module in Dhubri, which was linked to Al Qaeda in Indian Subcontinent (AQIS) and they had several financial transactions linked with arrested ABT members over the past several years.

A perusal of the FIR as well as the forwarding report, it is revealed that the present petitioner is named in the FIR and there is a *prima facie* case against him.

On the other hand, Mr. B. Sarma, learned Addl. P. P., submits that as per instruction, further extension of detention of the accused petitioner is not sought for.

Having heard the learned counsel of both sides and considering the length of detention, this Court is of the considered opinion that further continuation of detention of the accused, in the interest of investigation, is not warranted.

Accordingly, it is provided that the accused petitioner, named above, shall be released on bail of **Rs. 30,000/-** with **02(two) sureties** of like amount to the satisfaction of the learned **District and Sessions Judge, Dhubri** subject to the following conditions:

- i) That the accused petitioner shall cooperate with the Investigating Officer as and when required;

- ii) That the accused petitioner 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 Police Officer or the Court;
- iii) That the accused petitioner shall refrain from committing any similar offences in future, of which he is suspected of commission; and
- iv) That out of the two sureties, one must be a government servant subject to verification of the relevant documents, if deemed necessary and after such verification, the learned Court below shall return the original documents retaining legible scanned copy thereof on record for future reference.

Breach of any of the above conditions of bail shall render cancellation of the bail in accordance with law.

This disposes of the bail application.

JUDGE

Comparing Assistant