

GAHC010159312023



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

**Case No. : Bail Appln./2565/2023**

BOKUL CHANDRA BORA  
S/O LATE MAHENDRA NATH BORA  
R/O CHABOTI CHOUKHAM GAON,  
P.S. NORTH LAKHIMPUR,  
DIST. LAKHIMPUR, ASSAM  
PIN-787031

VERSUS

THE STATE OF ASSAM  
REP. BY THE PP, ASSAM

**Advocate for the Petitioner : MR. K BORUAH**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HONOURABLE MR. JUSTICE AJIT BORTHAKUR**

**ORDER**

**23.08.2023**

Heard Mr. K. Boruah, learned counsel appearing for the accused petitioner as well as Mr. D.P. Goswami, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely **Bokul Chandra Bora** has prayed for grant of bail in connection with **North Lakhimpur P.S. Case No. 248/2023** under Sections **420/406/379** of the IPC read with Sections **7 e(i)(2)/12(a)** of the Assam Money Lenders (Amendment) Act, 1968.

The case diary is not received.

The case relates to recovery and seizure of 13 nos. two wheelers and 02 nos. of four wheelers in the name of various owners from different parts of Lakhimpur district and one from Sonitpur district along with 42 nos. of signed blank cheques, several ID cards of different persons, ATM/Credit Cards, Bank passbooks, several written hand notes agreement of money lending with revenue tickets, blank paper with revenue tickets signed by individuals and cash amounting to Rs. 3,22,600/- from the house of the accused petitioner. It has been alleged that the accused petitioner is a money lender without any official license and he has been exploiting needy people with high rate of interest after lending money and whoever failed to pay the interest, he forcefully kept their vehicles, ATM cards, blank cheques etc.

It is noticed that the accused petitioner has been in judicial custody since 04.07.2023, that is, for 51 days.

On perusal of the FIR, accused Forwarding Report and the order, dated 07.07.2023, passed by the learned C.J.M., Lakhimpur at North Lakhimpur in G.R. Case No.631/2023 (corresponding to NLPS Case No.248/2023) it appears that there is abundance of prima facie incriminating material against the accused petitioner.

However, considering the length of detention only, this Court finds that further continuation of detention of the accused petitioner in the interest of investigation may not be required.

Accordingly, it is provided that the accused petitioner, named above, shall be released on bail of **Rs.50,000/- (Rupees Fifty Thousand)** with one surety of like amount to the satisfaction of learned **C.J.M., Lakhimpur, North Lakhimpur** 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; and
- iii) That the accused petitioner shall refrain from committing any offences similar to the one of which he is accused or suspected of commission.

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

Return the case diary.

The bail application stands disposed of.

**JUDGE**

**Comparing Assistant**