

GAHC010187912023



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

Case No. : Bail Appln./3000/2023

SAFA PARBOSA
S/O LT. GRAM PARBOSA @ KRAM PARBOSA
PERMANENT RESIDENT OF- KHERABARI, P.S. DIPHU
DIST. KARBI ANGLONG, ASSAM, PIN NO. 782470

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. N K MURRY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

Date : 26.09.2023

Heard Mr. N.K.Murry, learned counsel for the accused petitioner as well as Mr. B Sharma, learned Additional Public Prosecutor, Assam for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Safa Parbosa** has prayed for grant of bail in connection with **Dhansri OP GDE No.528 registered as Diphu**

P.S. Case No.84/2023 under Sections 120B/448/386/506/34 of the IPC r/w Section 25 (1) (a) of Arms Act (GR No. 524/2023).

Case diary is received.

The FIR reveals allegation that some unknown miscreants wearing army camouflage uniform along with fire arms entered in the house of one Promud Hasnu and demanded Rs.7 Lakhs and threatened to kill him.

It is noticed that the accused petitioner has been in judicial custody for 56 days since 01.08.2023.

Having heard the learned counsel for parties and on perusal of the case diary, it is seen that the accused petitioner is a surrendered DHD (N) cadre who along with two co-accused persons went to the house of one Promod Hasnu to demand Rs.7 Lakhs to which Promod allegedly agreed to pay Rs.5 Lakhs. However, no money was paid to them. One handmade SBBL gun and ammunitions were recovered and seized from the accused petitioner's house. Investigation has substantially progressed.

In view of overall aspects and considering the length of detention of the accused petitioner (56 days) in judicial custody, this Court is of the considered opinion that further continuation of detention in the interest of investigation is not warranted.

Accordingly, it is provided that the accused petitioner, named above shall be released on furnishing bail bond of **Rs. 50,000/-** with 02(two) sureties of like amount to the satisfaction of the learned **CJM, Karbi Anglong, Diphu**, subject to the following conditions- :

- (i) That the accused petitioners shall cooperate with the Investigating Officer as and when required;
- (ii) That the accused petitioners 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 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 shall render cancellation of the bail in accordance with law.

Return the case diary.

This disposes of the bail application.

JUDGE

Comparing Assistant