

GAHC010001462024



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

Case No. : Bail Appln./24/2024

ABDUL SATTAR ALI
SON OF MOKSED ALI, RESIDENT OF VILLAGE- SUAPATA, P.S. BILASIPARA,
DISTRICT- DHUBRI, ASSAM, CELL PHONE NO. 9957816262

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM

2:BIRENDRA NATH RAY
ASSISTANT SUB INSPECTOR OF POLICE BILASIPARA POLICE STATION
DISTRICT- DHUBRI ASSAM

3:ELINA BEGUM @ ILIMA BEGUM
DAUGHTER OF OMAR ALI
WIFE OF AMIR HAMJA
VILLAGE- DIPARKHUTI
P.S. BILASIPARA DISTRICT- DHUBRI
ASSAM PIN- 78334

Advocate for the Petitioner : MR. S ALIM

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 25.01.2024

Heard S. Alim, learned counsel appearing for the accused petitioner as well as Mr. D. Das, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Abdul Sattar Ali**, has prayed for grant of bail in connection with **Bilasipara P.S. Case No.415/2023** under Sections **376D/325** of the IPC.

The accused petitioner has been in judicial custody since 26.10.2023.

It is submitted at the Bar that the investigation is not completed and the petitioner has been languishing in jail for last 91 days.

That being so, since the investigation could not be completed within the stipulated time, this Court is inclined to release the petitioner on default bail, subject to furnishing a bail bond of **Rs. 30,000/-** with one surety of like amount to the satisfaction of the **learned Special Judge, Bilashipara** along with the following conditions-

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

This disposes of the bail application.

JUDGE

Comparing Assistant