

GAHC010004482024



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

Case No. : Bail Appln./120/2024

NITUL CHANDRA DAS
S/O LT. FATIK DAS R/O BRIBARI P.O. BARIBARI P.S. MUKALMUA DIST
NALBARI ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR P SHARMAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

30.01.2024

Heard Mr. P. Sharmah, learned counsel for the petitioner. Also heard Mr. D. Das, learned Addl. Public Prosecutor, appearing for the State of Assam.

This is an application under Section 439 of the Code of Criminal Procedure,

1973 for grant of regular bail to the accused / petitioner, namely, Nitul Chandra Das, who was arrested on 16.12.2023 in connection with Fatasil Ambari P.S. Case No. 275/2023 registered under Sections 468/471/472 of the IPC and added Section 409 of I.P.C.

The case of the prosecution in brief is that the accused petitioner who is working in the Office of the Sub-Registrar, Kamrup (M) has connived with the other co-accused in order to forge a Sale Deed.

Mr. P. Sharmah, learned counsel for the petitioner submits that the co-accused has already been granted bail and that the accused petitioner has been languishing in jail since last 45 days.

Mr. D. Das, learned Addl. Public Prosecutor, Assam on the other hand strongly opposes the prayer for bail and submits on the basis of the materials available on the Case Diary that the accused petitioner has actively participated in the offence alleged and there are materials available on record implicating the same.

I have heard the submissions made at the bar and have perused the materials available on record.

It appears that the accused petitioner has earlier also been arrested in connection with offence of similar nature in Cyber Police Case No. 12/2023. It further appears that there are specific role attributed to the accused petitioner by the Investigating Officer. The allegations involving fraudulent property transactions are grave and serious. It is imperative to unearth the truth. The

investigation appears to be at a crucial stage and keeping that in mind, this Court is not inclined to grant bail to the petitioner at this stage.

Accordingly the bail application stands rejected.

With the above observation, this bail application is disposed of.

JUDGE

Comparing Assistant