

GAHC010004722024



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

Case No. : Bail Appln./86/2024

DEBASISH BARUA
SON OF AJIT CH. BARUAH, RESIDENT OF HOUSE NO. B-3, BYE LANE NO.2,
NAYANPUR, GANESHGURI, P.S. DISPUR, GUWAHATI, DISTRICT- KAMRUP
(METRO), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A CHAUDHURY

Advocate for the Respondent : PP, ASSAM

- B E F O R E -

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA
ORDER

09.01.2024

Heard Mr. B.K. Mahajan, learned counsel for the petitioner. Also heard Mr. R.R. Kaushik, learned Additional Public Prosecutor, Assam appearing for the State.

This application under Section 439 of the Code of Criminal Procedure, 1973 has been filed by the petitioner in connection with Bharalumukh P.S. Case No.362/2023 registered under Sections 420/406/409/468/471/34 of the Indian

Penal Code.

One Manik Das fraudulently got possession of a plot of land by manufacturing false sale deed. He also managed to mutated his name in the land records. Thereafter he wanted to sell the land. However, before he could sell the said plot of land, he expired.

The petitioner is an Extra Writer in the Office of the Senior Sub-Registrar, Kamrup (Metro), Guwahati. He was earlier arrested in connection with Cyber P.S. Case No.12/2023 on the ground that one person called Nitul Das named his name as one of the perpetrators in the said offence. In that case, he was allowed to go on bail along with said Nitul Das. Thereafter, the present petitioner was arrested in connection with the present case.

I have gone through the case diary.

The police suspected that the petitioner has nexus with some of the land brokers. Apart from that the case diary is devoid of any incriminating materials to justify the petitioner's further detention in custody.

Therefore, the bail prayer of the petitioner is allowed.

The petitioner, namely, Debasish Barua shall be released on bail of Rs.25,000/- with one surety of like amount to the satisfaction of the Chief Judicial Magistrate, Kamrup (Metro), Guwahati.

The instant bail application stands disposed of accordingly.

Send back the Case Diary.

JUDGE

Comparing Assistant