

GAHC010006422024



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

Case No. : Bail Appln./110/2024

BHUSHAN JYOTI SAHARIA
S/O LT. BHUPEN SAHARIA R/O VILL WARD NO. 9 BHEBARGHAT P.S.
MANGALDAI DIST. DARRANG ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. D BORA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 19-01-2024

Heard Mr. B.K. Mahajan, learned counsel for the petitioner and Mr. D Das, learned Addl. PP, Assam.

This is an application under section 439 Cr.P.C filed by the petitioner Bhushan Jyoti Saharia who was arrested on 04.01.2024 in connection with Mangaldai PS Case No.496/2023 under sections 325/506

IPC added section 307 IPC.

The informant has alleged in the FIR that on the day of occurrence he had a scuffle with the petitioner who assaulted him and also threatened him with dire consequences to kill him by firing gun. Initially the police registered a case under sections 325/506 IPC and later on, section 307 IPC was added.

The case diary does not have sufficient incriminating materials to justify the contention of the petitioner in custody. Therefore, the bail application of the petitioner is allowed. The petitioner Bhushan Jyoti Saharia shall be released on bail on furnishing a bail bond of Rs.20,000/- with a suitable surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Darrang Mangaldai.

With the aforesaid direction the bail application stands disposed of.

JUDGE

Comparing Assistant