

GAHC010011462024



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

Case No. : Bail Appln./193/2024

MD. SAJAMUL ALI
S/O MD. JAHER ALI
R/O VILL- SONAPUR PATHAR
P.S. SONAPUR
DIST.KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MD B ISLAM

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

30.01.2024

Heard Mr. B. Islam, learned counsel for the petitioner. Also heard Mr. P. Borthakur, 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 granting of regular bail to the accused / petitioner, namely, Md. Sajamul Ali, who was arrested on 27.12.2023 in connection with Sonapur P.S. Case No. 280/2023 registered under Sections 379/411/413 of the IPC.

The case of the prosecution in brief is that certain number of articles stolen from seized vehicles by the police were recovered from the shop of the accused petitioner. Accordingly, the case was registered.

The Case Diary called for has been placed before this Court.

I have heard the submissions made at the bar and have also perused the materials available on record. It appears that the investigation has substantially progressed. The petitioner has been languishing in jail since last 34 days.

Considering the length of detention and gravity of offence, this Court is of the opinion that there is no justification in keeping the petitioner under further detention.

For the aforesaid reasons, the petitioner, namely, Md. Sajamul Ali is allowed to go on bail of Rs. 30,000/- (Rupees Thirty Thousand) with one surety of the like amount to the satisfaction of learned Chief Judicial Magistrate, Kamrup (M) subject to the following conditions.

(i) That the petitioner shall cooperate with the investigation.

(ii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the

facts of this case so as to dissuade such person from disclosing such facts to the Court or to the any Police Officer.

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

JUDGE

Comparing Assistant