

GAHC010033202024



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

Case No. : Bail Appln./455/2024

GULZAR HUSSAIN
S O LATE RAFIK UDDIN
VILL GORBHITOR
PS BISWANATH CHARIALI
DIST BISWANATH, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR H R A CHOUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

17.02.2024

Heard Mr H R A Choudhury, learned Senior Counsel for the petitioner, Gulzar Hussain.

2. The petitioner has filed this application under Section 439 CrPC, with prayer for bail, as he is behind bars since 08.02.2024, in connection with Biswanath Chariali PS Case No. 29/2024, under Section 14 of the Assam Game and Betting Act, 1970.

3. Heard Mr M P Goswami, learned Additional Public Prosecutor for the State of Assam.
4. It is submitted that the petitioner is 58 years old and he was not involved in the alleged offence
5. The learned Additional Public Prosecutor has raised objection stating that the Case Diary is necessary for consideration of the bail petition.
6. I have considered the submissions at the Bar.
7. I have considered the age of the petitioner that he is an elderly person aged about 58 years.
8. I have also considered the submission that the petitioner is a local resident and he is willing to cooperate with the investigation.
9. Considering all aspects, the petitioner is enlarged on bail of Rs. 30,000/- with a suitable surety of the like amount to the satisfaction of the CJM, Biswanath under the condition that:-
 - i) the petitioner shall refrain from such activities with which he is alleged, failing which, bail order shall stand cancelled.
10. Bail Application stands disposed of.

JUDGE

Comparing Assistant