

GAHC010038642024



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

**Case No. : Bail Appln./522/2024**

SALIM KHAN  
S/O FIRUZ KHAN,  
RESIDENT OF KATAHBARI 2 NO. MASJID GOLI, JYOTI PATH, PS GORCHUK,  
DIST KAMRUP M ASSAM

VERSUS

THE STATE OF ASSAM  
REP BY THE PP ASSAM

**Advocate for the Petitioner : S N ULLAH**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HONOURABLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**Date : 01-03-2024**

Heard Mr. N. J. Dutta, learned counsel for the accused. Also heard Mr. P. S. Lahkar, learned Addl. P.P. for the State respondent.

This application, under Section 439 Cr. P. C. is preferred by accused, Salim Khan, who has been languishing in jail hajot, in connection with Bhangagarh P.S. Case No. 09/2024, under Sections 420/ 406/ 384 /419 IPC, for grant of bail.

The above noted case has been registered on the basis of an FIR lodged by one Surjya Kamal Hazarika on 1.2.2024.

The essence of allegation, made in the FIR, dated 1.2.2024 is that the informant has paid a sum of Rs. 15,00,000/- to Salim Khan to purchase a plot of land and thereafter, while he asked him to provide him land, then he demanded a sum of Rs. 40,00,000/- and also threatened to implicate him in kidnapping cases and also to implicate him in cases involving ladies, falsely.

Mr. Dutta, learned counsel for the accused submits that the accused was arrested on 2.2.2024 and since then he is languishing in jail hajot and that he is ready to cooperate with the investigating agency and therefore, it is contended to allow this petition.

On the other hand, Mr. Lahkar, learned Addl. P. P. has produced the case diary and submits that the I.O.has collected some materials in support of the allegation made in the FIR.

Having heard the submission of learned Advocates of both the parties, I have carefully gone through the petition and the documents placed on record and also perused the case diary with the assistance of Mr. Lahkar, learned Addl. P.P for the State respondent.

It appears that the accused was arrested on 2.2.2024, and since then he has been languishing in jail hajot for last 29 days. The Case diary indicates that the I.O has collected some materials in support of the allegation made in the FIR. However, in view of the period of detention, his further custodial detention, in the interest of investigation, seems to be not warranted in this Case and therefore, this Court is inclined to allow the petition. It is provided that on furnishing a bond of Rs. 50,000/- with one surety of like amount, to the satisfaction of the learned Chief Judicial Magistrate, Kamrup(M) the accused be

enlarged on bail

Case diary be returned.

**JUDGE**

**Comparing Assistant**