

GAHC010039842024



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

Case No. : Bail Appln./574/2024

ENAMUL ALI ALIAS EMAUL ALI
S/O SHA ALOM ALIAS SHAH ALAM ALI
VILL- 1 NO. KACHUTOLI
P.S. SONAPUR,
DIST. KAMRUP (M0,
GUWAHATI, ASSAM
PIN-782402

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A M KHAN

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
ORDER

22.04.2024

Heard Mr. AM Khan, learned counsel for the petitioner. Also heard Mr. P Borthakur, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 439 Cr.P.C. praying for granting regular bail to the petitioner, Emamul Ali alias Emaul Ali, who was arrested on 03.02.2024 in connection with Sonapur PS case No. 15/2024 under Section 302 IPC.

Mr. Khan, learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case.

Perused the case diary produced by the learned Additional Public Prosecutor, Assam.

The petitioner is behind the bar since 03.02.2024. The post mortem report has not yet been collected by the I/O. However, investigation otherwise is at the advance stage. The petitioner has also been thoroughly interrogated. Considering the period of detention and the material so far collected, this Court is of the opinion that no further custodial interrogation/detention of the petitioner is required. Accordingly, the present application is allowed.

It is directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount to the satisfaction of the learned CJM, Kamrup (M) with the following conditions.

- (1) The petitioner shall not hamper with the investigation, or tamper with the evidence of the case,
- (2) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer,
- (3) The petitioner shall appear before the I/O on each and every date as and when called for.

Bail application stands disposed of.

JUDGE

Comparing Assistant