

GAHC010040302024



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

Case No. : Bail Appln./575/2024

TAHAZZAL ALI
S/O MANNAF ALI
R/O VILL- MOIRAJAR PATHAR
P.S. GOBARDHAN
DIST. BAKSA (BTAD), ASSAM, PIN-781314

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
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

14.03.2024

Heard Mr. A.M. Khan, learned counsel for the petitioner. Also heard Mr. K.K. Parashar, learned Addl. P.P for the State respondent.

This is an application under Section 439 of Cr.PC, 1973 for grant of bail to

the petitioner, i.e., Tahazzal Ali, who has been arrested on 28.01.2024 in connection with Jalukbari P.S Case No. 734/2023 registered under Sections 120(B)/328/392/506 of IPC.

The facts of the case is that on 05.12.2023 when the informant was driving in a four-wheeler vehicle from Jalukbari over bridge carrying stationary goods worth Rs. 25,000/- and cash amounting to Rs. 1,80,000/-, a car driver alongwith another person in the car stopped the vehicle and gave him a cup of tea whereupon, he felt unconscious and the two persons tied his hands and threw him out in Kendulona Rail line and took away the stationary goods and cash amounting to Rs. 1,80,000/- alongwith his mobile phone. Accordingly, a case was registered.

Mr. A.M. Khan, learned counsel for the petitioner submits that the petitioner is innocent and has been wrongly implicated in the offence.

Mr. K.K. Parashar, learned Addl. P.P on the other hand strongly opposes the prayer for bail.

I have heard the submissions made at the bar and have perused the materials available on record.

It appears that the investigation is at an active stage. It further appears that the stolen articles have not yet been recovered. It further appears that the interrogation is going on to unearth the truth.

Considering the aforesaid submission, this Court is not inclined to grant

regular bail to the petitioner at this stage.

Accordingly, the bail application stands rejected.

JUDGE

Comparing Assistant