

GAHC010040892024



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

Case No. : Bail Appln./544/2024

NAZMUL HUSSAIN LASKAR
S/O LATE JABUR ALI LASKAR,
VILL.- ALOICHERRA PART- IV, P.O.- KARICHORA, P.S.- KATLICHERRA,
DIST.- HAILAKANDI, ASSAM, PIN- 78

VERSUS

THE STATE OF ASSAM
REP. BY THE LEARNED PUBLIC PROSECUTOR.

Advocate for the Petitioner : MR. K MIRA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

11.03.2024

Heard Mr. K. Mira, learned counsel for the petitioner. Also heard Mr. K.K. Das, learned Addl. P.P, Assam.

This is an application under Section 439 of the Cr.PC, 1973 to release the

petitioner, i.e., Nazmul Hussain Laskar on bail in connection with Katlicherra P.S. Case No. 183/2023 registered under Sections 294/506/436/34 of IPC corresponding GR Case No. 1174/2023.

The case of the prosecution is that on 13.10.2023, the FIR named accused person had threatened the informant while he was coming to his shop and when the informant protested, they threatened to kill him. It is further alleged that thereafter on 15.10.2023 at about 1:30 AM, the informant was informed by local people that his shop was set on fire. Accordingly, FIR was registered.

Mr. K. Mira, learned counsel for the petitioner submits that the petitioner is not named accused in the FIR and the petitioner was not present on the date of the incident.

Mr. K.K. Das, learned Addl. P.P on the other hand strongly opposes the prayer for bail. He further submits on the basis of the materials available in the Case Diary that there are materials to show that prior to the incident, there was a meeting in which the petitioner was present, wherein they had hired another person to burn the shop of the informant.

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

Considering the entire facts and circumstances of the case, it is provided that the accused/petitioner named above shall be released on bail in connection with the above noted case with a bail bond of Rs. 30,000/- with one surety of like amount to the satisfaction of the learned CJM, Hailakandi, subject to the following conditions:-

- (i) That the petitioner shall co-operate with the investigation.
- (ii) That 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 him from disclosing such facts to the Court or to any Police Officer; and
- (iii) That the petitioner shall refrain from committing any similar offences in future of which he is accused or suspected of commission.

With the above observation and direction, the Bail Application stands disposed of.

Return the Case Diary.

JUDGE

Comparing Assistant