

GAHC010053792024



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

Case No. : Bail Appln./774/2024

MOHIBUL SIKDAR
S/O LATE DOLILUDDIN SIKDAR
VILL- AZAD NAGAR,
P.S. GOALPARA
DIST. GOALPARA, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, GOVT. OF ASSAM

Advocate for the Petitioner : MR. A M KHAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

08.04.2024

Heard Mr. R. S. Mishra, learned counsel appearing for the accused petitioner as well as Mr. D. P. Goswami, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Mohibul Sikdar**, has prayed for grant of bail in connection with **Goalpara P.S.**

Case No.21/2024 under Sections **120(B)/420/384/34 IPC, R/W Section 12 of the Assam Money Lenders Act (amended), 1968.**

It is submitted by the learned counsel for the petitioner that the petitioner is detained in judicial custody for last 35 days since his arrest i.e. on 04.03.2024. It is further submitted by the learned counsel for the petitioner that the name of the petitioner is not mentioned in the FIR. However, the person whose name is mentioned in the FIR has already been released on bail. Considering the length of detention, bail prayer may be considered.

Mr. D. P. Goswami, learned Additional Public Prosecutor has submitted that though there is material against the petitioner. However, considering the length of detention, bail may be considered.

In view of the submission of learned counsel for both the parties and considering the length of detention, this Court is of the view that further custodial interrogation of the accused-petitioner is not necessary in the interest of investigation of the case.

Accordingly, the petitioner, named above, shall be released on bail, on furnishing bail bond of **Rs.30,000/-** with **one suitable surety** of the like amount, to the satisfaction of learned **Chief Judicial Magistrate, Goalpara.**

The direction for bail is further subject to the conditions that the petitioner:

- (a) shall not leave the territorial jurisdiction of learned CJM, Goalpara, Assam without prior written permission from him/her;
- (b) shall not hamper with the investigation, or tamper with the evidence of the case;
- (c) 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.

In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant