

GAHC010055112024



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

Case No. : Bail Appln./767/2024

KADAM ALI
S/O AMIR ALI
R/O VILL- GOBINDAPUR, NEAR AKRAMIL HIGH SCHOOL, P.S. BAGHBAR
DIST. BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR S H SIKDAR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 27.03.2024

Heard Mr. S.H. Sikdar, learned counsel appearing for the Petitioner. Also heard Mr. D.P. Goswami, the learned Additional P.P. for the State of Assam.

This is an application under Section 439 of the Cr.P.C. in respect of Hatigaon P.S. Case No. 399/2023 under Sections 379/411 of the Indian Penal Code.

On the day of occurrence, a person called Sagar Goni was caught red handed while he was stealing remote radio units from a mobile phone tower.

From the forwarding report, it appears that the said Sagar Goni had stolen remote radio units on earlier occasions from different mobile phone towers and he used to sell those things to the present petitioner. Therefore, the present petitioner was arrested by police.

The petitioner claims that he is a scrap dealer and he used to purchase different things from different persons.

I have considered the submissions made by the learned counsel for both sides.

The petitioner has been in custody for the last 23 days. This Court is of the opinion that the petitioner no longer deserves to be detained in custody. Therefore, his bail application is allowed. Accordingly, it is hereby directed that the petitioner Kadam Ali shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup(Metro), Guwahati, Assam.

The bail application stands disposed off.

JUDGE

Comparing Assistant