

GAHC010058482024



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

Case No. : Bail Appln./843/2024

DEBASISH TALUKDAR
S/O UTTAM TALUKDAR
R/O GORESWAR ROAD,
MAZGAON,
BAIHATA CHARIALI,
DIST.KAMRUP, ASSAM
VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. D SARMA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

21.03.2024

Heard Mr. P Das, learned counsel for the petitioner as well as Mr. D P Goswami, learned Additional Public Prosecutor, Assam.

By this application filed under Section 439 CrPC the petitioner Debasish Talukdar has prayed for release on bail, who was arrested in connection with Biswanath Chariali P.S. Case No. 49/2024 registered under Sections 120(B)/419/420/406 IPC.

Mr. Goswami has requested this Court to call for the Case Diary.

I have considered the submission made by the learned counsel for the both side

in the light of the materials available on record. This court is of the opinion that for appreciation of the bail application, perusal of Case Diary is not required.

One responsible lady officer belonging to Assam Civil Service got introduced with the present petitioner through instagram and, thereafter, their relationship blossomed into friendship. The petitioner allegedly told her that he is a Scientist of ISRO and alumnus of IIT, Delhi and St. John's College, University of Oxford, England.

On one occasion, petitioner took Rs.20,000/- from the informant which was not returned. Thereafter, the informant became suspicious about the credentials of the present petitioner.

It is submitted that the petitioner has already undergone 20 (twenty) days in custody.

This court is of the opinion that there is a serious doubt about the existence of prima facie criminal case against the present petitioner.

Under the given circumstances, this court is of the opinion that the petitioner does not deserve to be detained for further period of time. Hence, the prayer for bail of the petitioner is allowed.

Accordingly, it is directed that the petitioner Debasish Talukdar, who was arrested in connection with Biswanath Chariali P.S. Case No. 49/2024 registered under Sections 120(B)/419/420/406 IPC, shall be released on bail of Rs.20,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Biswanath Chariali.

The bail application is disposed of.

JUDGE

Comparing Assistant