

GAHC010059292024



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

Case No. : Bail Appln./821/2024

SAMIR SHILL @ APU SHILL AND ANR
S/ SANKAR SHILL
R/O WARD NO. 10 OF SAPATGRAM MUNICIPALITY
P.O. AND P.S. SAPATGRAM
DIST. DHUBRI, ASSAM,
PIN-783337

2: BIPLAB BASAK @ BIJU BASAK
S/O LATE MAHADEV BASAK
R/O VILL- SONALUGURI
P.O. RANIGANJ
P.S. SAPATGRAM
DIST. DHUBRI
ASSAM
PIN-78334

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. D P MANDAL

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

20.03.2024

Heard Mr. S Bora, 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 petitioners, namely, (1) Sri Samir Shill @ Apu Shill and (2) Sri Biplab Basak @ Biju Basak, who were arrested in connection with Sapatgram P.S. Case No. 10/2024 registered under Sections 120(B)/420/448/384/387/506/408 IPC, have prayed for release on bail.

The informant borrowed a sum of Rs.40,000/- from the present petitioners. It was stipulated that the informant will pay 10% interest. Accordingly, the informant paid Rs.8,000/- to the petitioners. After that, the petitioners had quarreled with the informant and they took away the bank passbook, driving license along with the documents of a car from the informant. The petitioners allegedly took a signature of the informant on a blank stamp paper.

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

The petitioners have already undergone 19 (nineteen) days in custody. This court is of the opinion that under the given circumstances the petitioners do not deserve to be detained in custody for a further period of time. Hence, the bail application of the petitioners is allowed.

Accordingly, it is directed that the petitioners, namely, (1) Sri Samir Shill @ Apu Shill and (2) Sri Biplab Basak @ Biju Basak, who were arrested in connection with Sapatgram P.S. Case No. 10/2024 registered under Sections 120(B)/420/448/384/387/506/408 IPC shall be released on bail of Rs.10,000/- each

with one surety of like amount to the satisfaction of the learned SDJM, Bilasipara, Dhubri.

The bail application is disposed of.

JUDGE

Comparing Assistant