

GAHC010059462024



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

Case No. : Bail Appln./859/2024

ABDUL MATIN
S/O LT. JAVED ALI
VILL- SIDHAUNI
P.S. BAGHBAR,
DIST. BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. J AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 02.04.2024

Heard Mr. J. Ahmed, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor appearing for the State respondent.

This is an application under Section 439 Cr.P.C. praying for bail by the accused petitioner namely Abdul Matin in connection with Hatigaon P.S. Case No.35/2024 under Section 366 IPC.

Case diary is received. Perused the same.

It is submitted by the learned counsel for the petitioner that the accused petitioner is behind the bar since 03.03.2024 and thus the I/O got sufficient time to interrogate him keeping him in custody. More so, he has submitted that the victim has already been recovered and produce before the learned Court below as per the instructions received from the petitioner. However, the petitioner is still ready and willing to appear before the I/O as and when cooperation will be required.

In this connection, learned Additional Public Prosecutor has submitted that there are some incriminating materials against the accused petitioner. However, considering the period of detention already undergone by the petitioner, his bail may be considered.

Having heard the learned counsel for both sides and considering the materials available in the case diary, I find further custodial interrogation of the present accused petitioner may not be necessary for the interest of further investigation.

Accordingly, I find it a fit case to allow the above named accused petitioner to go on bail on furnishing a bail bond of Rs.20,000/- with the satisfaction of the learned CJM, Kamrup(M) subject to the following conditions:-

- i. 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
- ii. that the petitioner shall not leave the jurisdiction of the learned CJM, Kamrup (M), without prior permission.

Return the case diary.

With the above observation and direction, bail application stands disposed of.

JUDGE

Comparing Assistant