

GAHC010063042024



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

Case No. : Bail Appln./896/2024

MAFIJUL ALI AND 2 ORS.
S/O HAKIMUDDIN ALI
R/O GOROIMARI GAON
P.S. BOGINODI
DIST.LAKHIMPUR, ASSAM

2: SANIDUL ALI
S/O KAJIMUDDIN
R/O GOROIMARI GAON
P.S. BOGINODI
DIST.LAKHIMPUR
ASSAM

3: JAMAL ALI
S/O IBRAHIM ALI
R/O GOROIMARI GAON
P.S. BOGINODI
DIST.LAKHIMPUR
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR A KHANIKAR

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

27.03.2024

Heard Mr. A Khanikar, learned counsel for the petitioners as well as Ms. A. Begum, learned Additional Public Prosecutor, Assam.

By this application filed under Section 439 CrPC the petitioners, namely, (1) Mafijul Ali; (2) Sanidul Ali; and (3) Jamal Ali have prayed for release on bail who were arrested in connection with Dhakuakhana P.S. Case No. 21/2024 registered under Sections 457/380/34 IPC.

On 04.03.2024, at night, the petitioners were caught red handed when they tried to steal two cows from the house of the informant.

It is submitted that the petitioners have already undergone 21 (twenty one) days in custody and the stolen property has already been recovered.

Considering the submission made by the learned counsel for both the parties and since the stolen property has been recovered and also considering the period of detention, already undergone by the petitioners, this court is of the opinion that the petitioners do not deserve to be detained in custody for any further period of time. Hence, the prayer for bail of the petitioners is allowed.

Accordingly, the petitioners, namely, (1) Mafijul Ali; (2) Sanidul Ali; and (3) Jamal Ali, who were arrested in connection with Dhakuakhana P.S. Case No. 21/2024 registered under Sections 457/380/34 IPC shall be released on bail of Rs.20,000/- each with one surety of like amount to the satisfaction of the learned Sub Divisional Magistrate, Dhakuakhana.

The bail application is disposed of.

JUDGE

Comparing Assistant