

GAHC010069512024



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

**Case No. : Bail Appln./992/2024**

DULAL CHOUDHURY  
S/O LOHIT CHOUDHURY, R/O VILL-BAREGAON, P.S.-BAIHATA CHARIALI,  
DIST-KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner : MR. A K AZAD**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

**ORDER**

**Date : 22.04.2024**

Heard Mr. A.K. Ahmed, learned counsel for the applicant and Mr. D Das, learned Addl. PP, Assam appearing for the state respondent.

This application under section 439 of the Code of Criminal Procedure, 1973 is preferred by accused, namely, ***Dulal Choudhury*** who was arrested on 26.02.2024 in connection with ***Baihata Chariali PS Case***

**No.61/2024** under sections **120(B)/420/421/422/423/386/387**  
**IPC.**

The petitioner was arrested on 26.02.2024 and he is behind the bars since then.

Case diary called for is received and perused

Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. Investigation is almost over and the accused person is thoroughly interrogated by the investigating agency. There is no legal evidence against the present applicant to connect him with the alleged offence. The learned Counsel further submits that the applicant is in custody since 26.02.2024 and the conclusion of trial will take sufficient time. On the aforesaid grounds, prayer is made to release the applicant on bail.

Considering the period of detention and without commenting anything on the merits of the case, this Court is of the opinion that no further custodial interrogation/detention is required. Accordingly, the present application is allowed.

It is directed that the applicant, above named, in connection with the aforementioned case be released on bail on his furnishing a bond in the sum of Rs.50,000/- (Rupees fifty thousand only) with one solvent surety of the like amount to the satisfaction of the learned Sub Divisional Judicial Magistrate, Kamrup, Assam, with the following conditions:

- I. The applicant shall not leave the territorial jurisdiction of the aforesaid police station without prior written permission from its officer in charge;
- II. The applicant shall not hamper with the investigation of the case and tamper with the evidence of the case;
- III. The applicant 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 them from disclosing such facts to the court or to any police officer.

In terms of the above, this bail application stands disposed of.

Return the case diary.

**JUDGE**

**Comparing Assistant**