

GAHC010070372024



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

Case No. : Bail Appln./1020/2024

PRANJAL DAS
S/O SRI BABUL DAS
R/O SEWALI PATH,
WARD NO. 9, RANGIA
P.S. RANGIA,
DIST. KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
TO BE REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. N HAQUE
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

19.04.2024

Heard Mr. N. Haque, learned counsel appearing for the accused petitioner as well as Mr. D. P. Goswami, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Pranjal Das**, has prayed for grant of bail in connection with **Baihata Chariali P.S. Case No.367/2023 (GR-1271/23)** registered under Sections

120(B)/121/121(A) of IPC read with Section 10/13 of the Unlawful Activities (Prevention) Act.

It is submitted by the learned counsel for the petitioner that the petitioner is detained in judicial custody for last 88 days since his arrest i.e. on 21.01.2024. The allegation against the petitioner is that he has hoisted the flags of ULFA, a banned organization at National Highway Kamalpur and Baihata area. Learned counsel for the petitioner prays that considering the length of detention, the accused may be enlarged on bail.

On the other hand, Mr. D. P. Goswami, learned Additional Public Prosecutor has produced the case diary and submits that there is no prayer by the Investigating Officer regarding extension of time requiring further detention of the accused petitioner. Therefore, considering the length of detention, bail may be considered.

I have heard the learned counsel for both the parties and perused the case diary. From the case diary, it appears that the allegation in the FIR is hosting of flag of ULFA by some miscreants at National Highway Kamalpur and Baihata area. In the FIR, the name of the petitioner is not mentioned. However, subsequently, he has been arrested with the allegation of hosting of flag of ULFA, a banned organisation. In view of the above submission and considering the length of detention, this Court is of the view that further custodial interrogation of the accused-petitioner is not necessary in the interest of investigation of the case.

Accordingly, the petitioner, named above, shall be released on bail, on furnishing bail bond of **Rs.50,000/-** with **one suitable surety** of the like amount, to the satisfaction of learned **Judicial Magistrate 1st Class, Rangia**.

The direction for bail is further subject to the conditions that the petitioner:

(a) shall not leave the territorial jurisdiction of learned JMFC, Rangia without prior

written permission from him/her;

(b) shall not hamper with the investigation, or tamper with the evidence of the case;

(c) 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.

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

JUDGE

Comparing Assistant