

GAHC010074162024



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

Case No. : Bail Appln./1051/2024

MD. AKRAMUL HOQUE
SON OF LATE ABDUL LATIF RESIDENT OF VILLAGE- FATEHPUR, POST
OFFICE- KUTUBPUR, POLICE STATION- BIHPURIA, DISTRICT -
LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. P HAZARIKA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 09.04.2024

Heard Mr. P.Hazarika, learned counsel appearing for the Petitioner. Also heard Mr. B. Sarma, learned Additional P.P. for the State of Assam.

This is an application under Section 439 of the Cr.P.C. in respect of North Lakhimpur P.S. Case No. 60/2024 under Sections 406/420 of the Indian Penal Code.

Smti. Joy Bagra alleged in the FIR dated 14.11.2024 that on 13.03.2024 at about 10.30 AM, Sri Raju Das and three other unknown persons took Rs.5 lakh from the informant in lieu of supplying utensils and some garlands. In fact, they took Rs.1,80,000/- (one lakh eighty thousand) from a particular account and an amount of Rs.3,20,000/- (three lakh twenty thousand) was given in cash. After taking the money, those persons escaped and could not be found.

So far as the amount of Rs.1,80,000/- (one lakh eighty thousand) is concerned, it was transferred from the bank account of the mother of the petitioner, which was linked with the mobile phone of the present petitioner. The petitioner had given his mobile phone to Mr. Mainul Haque which was used by Mainul Haque to transfer Rs.1,80,000/- (one lakh eighty thousand) from the account of the mother of the petitioner in his father's account.

The petitioner has been in custody since 17.03.2024 and it is an admitted fact that the petitioner had allowed Mainul Haque to transfer Rs.1,80,000/- (one lakh eighty thousand) in his father account.

This Court is of the opinion that the petitioner no longer deserves to be detained in custody. Therefore, his bail prayer is allowed. Accordingly, it is hereby directed that the petitioner Akramul Hoque is allowed to on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Lakhmpur, North Lakhimpur.

The bail application is disposed of.

JUDGE

Comparing Assistant