

GAHC010074212024



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

Case No. : Bail Appln./1061/2024

IKRAMUL HOQUE
S/O AHAMMAD ALI
VILL- TATIKATA PATHER
P.O. AND P.S. MOIRABARI
DIST. MORIGAON, ASSAM
PIN-782126.

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M K HUSSAIN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

22.04.2024

Heard Mr. M. K. Hussain, learned counsel appearing for the accused petitioner as well as Mr. R. J. Baruah, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Ikramul Hoque**, has prayed for grant of bail in connection with **Moirabari P.S. Case No.18/2024** under Sections **120(B)/419/420/406/467/468/471/34**

IPC read with Section 66(C)/66(D) of IT Act.

It is submitted by the learned counsel for the petitioner that the petitioner is detained in judicial custody for last 74 days since his arrest i.e. on 08.02.2024 and the other co-accused have been granted bail considering the length of detention. He therefore, prayed that considering the length of detention, bail prayer of the petitioner may be considered.

Mr. R. J. Baruah, learned Additional Public Prosecutor has produced the case diary and submits that sufficient incriminating material has been received against the petitioner.

I have heard the submission of the learned counsel for both the parties and also perused the case diary.

In view of the submission of learned counsel for both the parties 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 **Chief Judicial Magistrate, Morigaon**.

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

- (a) shall not leave the territorial jurisdiction of learned Chief Judicial Magistrate, Morigaon 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