

GAHC010076202024



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

Case No. : AB/991/2024

ISMAIL SIKDAR
S/O LATE RIAZ SIKDAR
RESIDENT OF KAKDHOWA, PS TARABARI, DIST BARPETA, ASSAM 781302

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP ASSAM

Advocate for the Petitioner : MR. B CHOWDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

03.05.2024

Heard Mr B Choudhury, learned counsel for the petitioner, Ismail Sikdar.

2. The petitioner has filed this application under Section 438 CrPC, with prayer for pre-arrest bail, as he is apprehending arrest in connection with Guwahati GRPS Case No. 63/2024, under Section 379 IPC, corresponding to GR No. 1281/2024, under Section 379 IPC.

3. Heard Mr B Sarma, learned Additional Public Prosecutor for the State of Assam.
4. The FIR unfolds that on 27.02.2024, Pinky Debnath was proceeding along with her husband from Howrah towards Lumding in a passenger train. At about 4'o clock, between Kamrup Railway Station and Guwahati Railway Station, some miscreants committed theft of her money bag along with two mobile phones, when Pinky and her husband fell asleep. During investigation, a sim card which was used by the Pinky Debnath was seized from the present petitioner. The present petitioner was granted interim bail in connection with this case.
5. The learned Additional Public Prosecutor has submitted that the petitioner is on interim bail and he has appeared before the IO and his statement has been recorded
6. I have considered the submissions at the Bar with circumspection.
7. I have also scrutinized the Case Diary.
8. The petitioner has cooperated with the investigation.
9. It appears that custodial interrogation of the petitioner may not be required for the progress of investigation.
10. As the petitioner has not violated any bail conditions, the interim order dated 10.04.2024, is hereby made absolute.
11. Bail Application stands disposed of.
12. Send back the Case Diary.

JUDGE

Comparing Assistant