

GAHC010077132024



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

Case No. : Bail Appln./1127/2024

MOINAL HOQUE
S/O FARID ALI
R/O PASUGUMI SALMARA
P.O. AGGUMI
P.S. CHHAYGAON
DIST. KAMRUP, ASSAM
MOBILE NO. 9864027090
PIN-781134

VERSUS

THE STATE OF ASSAM
REP BY THE LEARNED PP, ASSAM

Advocate for the Petitioner : MR A K AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE

THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
ORDER

02.05.2024

Heard learned counsel for the parties.

This is an application filed under Section 439 Cr.P.C. praying for granting regular bail to the petitioner, Moinal Hoque, who was arrested on 25.03.2024 in connection with Palasbari PS case No. 85/2024 under Section 171/365/395/427 IPC.

Case diary as called for has been produced. Perused the same along with material available on record.

The learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case.

The learned Additional Public Prosecutor, Assam has vehemently objected to the prayer of the petitioner to grant bail to the petitioner in connection with the present case.

Considering the materials so far collected against the present petitioner, who was driver of the other vehicle where the robbed materials were shifted and also considering the period of detention, this Court is of the opinion that no further custodial interrogation/detention of the petitioner is required. Accordingly, the present application is allowed.

It is directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand Only) with one solvent surety in the like amount to the satisfaction of the learned CJM, Kamrup (A) with the following conditions.

- (1) The petitioner shall not hamper with the investigation, or tamper with the evidence of the case,
- (2) The petitioner 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,
- (3) The petitioner shall appear before the I/O on each and every date as and when called for.

Bail application stands disposed of.

JUDGE

Comparing Assistant