

GAHC010081232024



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

Case No. : Bail Appln./1165/2024

AZIBAR ALI @ AJIBOR ALI @ RAJU
S/O ABDUR RASHID
VILL- KATAHBARI 2 NO. MAJID GOLI, C/O- BILLAL SIKDAR, P.S.-
GARCHUK, DIST.- KAMRUP (M), ASSAM PERMANENT ADDRESS- VILL-
PITHADIPAM NEAR L.P. SCHOOL, P.S.- SARTHEBARI, DIST.- BARPETA,
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. N UDDIN

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
ORDER

03.05.2024

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, Azibar Ali @ Ajibor Ali @ Raju, who was arrested on 21.02.2024 in connection with Gorchuk PS case No. 373/2023 under Section 302 IPC.

Case diary produced by the learned Additional Public Prosecution is perused. The statements of the witnesses were recorded under Section 161 Cr.P.C. including the neighbour of the informant and victim.

Also perused the post-mortem report.

The petitioner is behind the bar for last 73 days. The investigation has substantially progressed and the Investigating Officer is awaiting for the FSL report.

Considering the material available in case diary as well as considering the period of detention and the stage of investigation, 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.20,000/- (Rupees Twenty Thousand Only) with one solvent surety of like amount to the satisfaction of the learned CJM, Kamrup (M) 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