

GAHC010081842024



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

Case No. : Bail Appln./1230/2024

SUMOR ALI
S/O LATE JAHARUDDIN AHMED
R/O KIRA KARA NC, P.S. SIPAJHAR, DIST. DARRANG, ASSAM, PIN-784145

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. R BORUAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 10.05.2024

Heard Mr. R. Boruah, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Addl. P.P., Assam for the State respondent.

This is an application under Section 439 of the Cr.P.C. for granting bail to the accused/petitioner, namely, Sumor Ali who was arrested on 16.04.2024 in Connection with Pragjyotishpur P.S. Case No. 58/2024 registered under Sections 366 of the IPC.

The C.D. has not been received.

The learned counsel for the petitioner submitted that the petitioner was arrested on 16.04.2024 and since then he is behind the bar and the girl has also been recovered. It is also submitted that custodial

interrogation may not be necessary for further investigation and the petitioner is ready and willing to cooperate with the investigation as and when required.

In this context Mr. B. Sarma, the learned Addl. P.P. has submitted that the accused petitioner is behind the bar since the date of his arrest and the victim girl has already been recovered.

Considering the submissions made by the learned counsel for both the sides and the length of detention already undergone by the petitioner, I find that further custodial interrogation may not be necessary for investigation.

Accordingly, it is provided that on furnishing a bond of Rs. 20,000/- (Rupees twenty thousand) only with one surety of the like amount to the satisfaction of the learned CJM, Kamrup (M) the accused petitioner, named above, be enlarged on bail, subject to the following conditions :

1. that the accused petitioner shall make himself available for interrogation by the Investigating Officer as and when required;
2. that 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 him from disclosing such facts to the Court or to any Police Officer; and
3. that the petitioner shall make himself available for interrogation by the I.O. as and when required;

The bail application is disposed of.

JUDGE

Comparing Assistant