

GAHC010084122024



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

Case No. : Bail Appln./1239/2024

LALCHAND ALI @ LAMBU
S/O LATE MIYA CHAND SHEIKH
R/O BEHARBARI, SONKUCHI
NEAR SPRING DALE SCHOOL,
P.S. BASISTHA, DIST. KAMRUP (METRO), PERMANENT ADDRESS-
VILL- KHANAPARA, PUNE NAYANI P.S. GOURIPUR, DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. N J DUTTA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 20-05-2024

Heard Mr. N.J. Dutta, learned counsel for the petitioner *Lalchand Ali @ Lambu*.

2. The petitioner has filed this application under Section 439 of the Code of Criminal Procedure, 1973 as he is behind bars since 20.04.2024 in connection with Basistha Police Station Case No. 266/2024 under Sections 447/354/307/379/506/34 of the Indian Penal Code, 1860.
3. Also heard Mr. B.B. Gogoi, learned Additional Public Prosecutor for the respondent State.
4. The allegation against the petitioner is that he tried to run over the informant's son with his bicycle. Again, on a later date, the petitioner armed with weapon went to the informant's house and when the informant tried to resist, the petitioner and his co-accused outraged the informant's modesty and also threatened her with dire consequences.
5. I have considered the submissions at the bar with circumspection. I have also scrutinized the Case Diary.
6. Investigation has progressed to some extent. It appears that further custodial detention for the progress of investigation may not be required.
7. Considering all aspects, petition is allowed.
8. The petitioner is enlarged on bail on furnishing a bail bond of *Rs.30,000/- (Rupees Thirty Thousand)* with a suitable surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M) under the condition that:

The petitioner shall refrain from such activities with which he is alleged, failing which bail order shall stand cancelled.
9. Bail Application stands disposed of in the above terms.

10. Send back the Case Diary.

JUDGE

Comparing Assistant