

GAHC010084492024



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

Case No. : Bail Appln./1249/2024

JOINUDDIN AND ANR.
S/O LT. SAHAJAL HOQUE
R/O GORAKHAT,
P.S. DALGAON
DIST. DARRANG, ASSAM
PIN NO. 9577726468

2: RAFIKUL ISLAM
S/O JOHURUDDIN
R/O GORAKHAT
P.S. DALGAON
DIST. DARRANG
ASSAM
PH. NO. 957772646

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR D MEDHI

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 10-05-2024

Heard Mr. D. Medhi, learned counsel for the petitioners. Also heard Mr. P. Borthakur, 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/petitioners, namely, 1. Joinuddin and 2. Rafikul Islam in Connection with Dalgaon P.S. Case No. 57/2024 registered under Sections 447/448/325/392/34 of the IPC.

The C.D. has been received.

I have perused the same.

Mr. D. Medhi, the learned counsel for the petitioners submitted that the petitioners were arrested on 20.03.2024 and since then they are in custody. It is submitted that the petitioners are innocent and they are in no way involved with the alleged offence. It is also submitted that the petitioners are ready and willing to cooperate with the investigation as and when required.

In this context Mr. Borthakur, the learned Addl. P.P. has submitted that considering the medical report and the length of detention already undergone by the petitioners their prayer for bail may be considered.

Considering the submissions made by the learned counsel for both the sides and the length of detention already undergone by the petitioners, 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/- each (Rupees twenty thousand) only with one surety of the like amount to the satisfaction of the learned CJM, Darrang, Mangaldai the petitioners, named above, be enlarged on bail, subject to the following conditions :

1. that the accused petitioners shall make themselves available for interrogation by the Investigating Officer as and when required;
2. that the petitioners 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 petitioners shall make themselves available for interrogation by the I.O. as and when required;

The bail application is disposed of.

JUDGE

Comparing Assistant