

GAHC010086572024



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

Case No. : Bail Appln./1248/2024

FAIZUL ISLAM @ FAIJUL ISLAM
S/O LATE AMIRUDDIN, RESIDENT OF KENDUGURI, PS NAGAON SADAR,
DIST NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP ASSAM

Advocate for the Petitioner : MR. R K PRADHAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 01.05.2024

Heard Mr. A.K. Saikia, learned counsel for the applicant and Mr. P Borthakur, learned Addl. PP, Assam appearing for the state respondent.

This application under section 439 of the Code of Criminal Procedure, 1973 is preferred by accused, namely, ***Faizul Islam @***

Faijul Islam who was arrested on 14.03.2024 in connection with **Nagaon PS Case No.201/2024** under sections **120(B)/302 IPC**.

The petitioner was arrested on 14.03.2024 and he is behind the bars since then.

Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. Investigation is almost over and the accused person has thoroughly been interrogated by the investigating agency. There is no legal evidence against the present applicant to connect him with the alleged offence. The learned Counsel further submits that the applicant is in custody since 14.03.2024 and the conclusion of trial will take sufficient time. On the aforesaid grounds, prayer is made to release the applicant on bail.

Considering the period of detention undergone by the applicant in custody and the nature of allegation, this court is the view that no further custodial detention of the applicant may be necessary. Accordingly, the present bail application is allowed.

It is directed that the applicant, above named, in connection with the aforementioned case be released on bail on his furnishing a bond in the sum of Rs.30,000/- (Rupees thirty thousand Only) with one solvent surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Nagaon, with the following conditions:

- I. The applicant shall not leave the territorial jurisdiction of the aforesaid police station without prior written permission from its officer in charge;
- II. The applicant shall not hamper with the investigation of the case and tamper with the evidence of the case;

III. The applicant 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.

In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant