

GAHC010088462024



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

**Case No. : Bail Appln./1282/2024**

IBRAHIM ALI BHUYAN  
S/O LATE ABDUS SAMAD BHUYAN  
VILL- PASCHIM BORAGAON, MILIJULI PATH,  
P.S. GARCHUK  
DIST. KAMRUP (M), ASSAM  
PIN-781035

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PP, ASSAM

**Advocate for the Petitioner** : MR. M HUSSAIN

**Advocate for the Respondent** : PP, ASSAM

**BEFORE**  
**HONOURABLE MRS. JUSTICE MITALI THAKURIA**

**ORDER**

**Date : 10.05.2024**

Heard Mr. M. Hussain, learned counsel for the petitioner. Also heard Mr. K.K. Parasar, 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, Ibrahim Ali Bhuyan in Connection with Garchuk P.S. FIR No. 107/2024 registered under Sections 120B/420/406/409/447/427/34 of the IPC.

The C.D. has been received.

I have perused the same.

Mr. Hussain, the learned counsel for the petitioner has submitted that the petitioner is a bonafide purchaser rather he is the victim of the case. The other two persons who entered into agreement with him had misused the power and sold some portion of the land to an another person and the FIR has been registered against him. It is also submitted that the petitioner is in custody for 22 days since the date of his arrest on 19.04.2024 and the Investigating Officer has got sufficient time for investigation.

In this context Mr. K.K. Parasar submitted that as per materials in the C.D. the land owner/ other co-accused executed a power of attorney on behalf of the wife of the present petitioner, who was also one of the partner in earlier agreement for sale. He further submitted that the matter is under investigation.

Considering the submissions made by the learned counsel for both the sides and the nature of allegation and also considering the materials available in the C.D., 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 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**