

GAHC010088612024



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

**Case No. : Bail Appln./1270/2024**

REETAM SINGH  
S/O BALWANT SINGH  
R/O FLAT NO. 3(B), PROKESH ENCLAVE, HARBALA ROAD,  
ULUBARI, P.S.PALTANBAZAR, GUWAHATI-781007

VERSUS

THE STATE OF ASSAM  
REP BY THE PP, ASSAM

**Advocate for the Petitioner : MR. K N CHOUDHURY**  
**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**15.05.2024**

Heard Mr. K. N. Choudhury, learned Sr. counsel assisted by Mr. H. Buragohain, learned counsel for the accused petitioner as well as Mr. D. Das, learned Addl. P.P., Assam appearing for the State respondent.

By filing this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Reetam Singh**, has prayed for grant of bail in connection with **Panbazar P.S. Case No.93/2024** under Sections **153(A)/171(G)/505(1)(b)** of IPC read with **Section 66(F) of Information Technology Act, 2000.**

It is submitted by the learned counsel for the petitioner that the petitioner is an advocate practicing in this High Court and the allegation against him is that he has uploaded one message against the Union Home Minister inciting communal passion but subsequently, he deleted the said message. It is also submitted that the petitioner has been detained in custody for last 18 days and considering the length of detention, the petitioner may be enlarged on bail.

Mr. D. Das, learned Additional Public Prosecutor has produced that case diary and submitted that though FSL report is received but the concerned authority has failed to unlock the mobile phone and opposed in granting bail to the petitioner.

I have considered the submission of the learned counsel for the parties. On perusal of case diary, it appears that the accused has been booked for the offence under Section 153(A)/505(1)(b) IPC, wherein the prescribed punishment is imprisonment for three years and other offences under IPC is bailable in nature. Apparently, Section 66(F) IT Act is not attracted in this case since the materials till collected so far. In view of the above, this Court is of the opinion that further custodial interrogation of the accused-petitioner is not necessary in the interest of investigation of the case.

Accordingly, the petitioner, named above, shall be released on bail, on furnishing bail bond of **Rs.20,000/-** with **one suitable surety** of the like amount, to the satisfaction of learned **Chief Judicial Magistrate, Kamrup (M)**.

The direction for bail is further subject to the conditions that the petitioner:

- (a) shall not leave the territorial jurisdiction of learned Chief Judicial Magistrate, Kamrup (M) without prior written permission from him/her;
- (b) shall not hamper with the investigation, or tamper with the evidence of the case;
- (c) 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.

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

Case diary be returned back.

**JUDGE**

**Comparing Assistant**