

GAHC010088682024



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

Case No. : AB/1155/2024

MITHUN SARKAR
S/O SRI NAGENDRA NATH SARKAR
R/O VILL- BATGAO, MOUZA- CHENGA,P.S. TARABARI, DIST. BARPETA,
ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A GOYAL

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 06.05.2024

Heard Mr.A. Goyal, learned counsel appearing for the petitioner. Also heard Mr. B. Sarma, learned Additional P.P. for the State of Assam.

This is an application under Section 438 of the Cr.P.C. in respect of Tarabari P.S. Case No.17/2024 under Sections 341/353 and 294 of the Indian

Penal Code.

On the day of the Holi, the petitioner had a scuffle with some police personnel. It is alleged that the petitioner had caused damage to the uniform of the police personnel.

Mr. Sarma has objected to this bail application.

I have considered the submissions made by the learned counsel of both sides.

This Court is of the opinion that for the allegations brought against the petitioner, he does not deserve to be detained in custody. Therefore, his bail application is allowed.

It is hereby directed that in the event of arrest in connection with Tarabari P.S. Case No.17/2024, the petitioner namely Sri Mithun Sarkar shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the arresting authority. The petitioner is directed to cooperate with the Investigating Officer as and when required.

With the aforesaid direction, the bail petition stands disposed of.

JUDGE

Comparing Assistant