

GAHC010093022024



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

Case No. : Bail Appln./1351/2024

MD. MAINUL HAQUE
S/O MD. FARID ALI
R/O PASGUMI SALMARA
P.O. AGGUMI
P.S. CHHAYGAON, DIST. KAMRUP, ASSAM, MOBILE NO. 98640-27090
PIN- 781134

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR A K AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 20-05-2024

- 1.** Heard Mr. A.K. Ahmed, learned counsel for the petitioner.
- 2.** The petitioner namely, Md. Mainul Haque has filed this application under Section

439 Cr.PC with prayer for bail as he is behind bars since 01.04.2024 in connection with Jagiroad P.S. Case No. 71/2024 registered u/s 341/325/392/34 IPC.

3. Heard Mr. B.B. Gogoi, learned Addl. PP., Assam

4. I have considered the submissions at the Bar with circumspection.

5. The FIR unfolds that the petitioner who was driving a car followed a truck carrying alcohol and thereafter he assaulted the driver of the truck bearing Registration No. AS-01-DC-6657 (Eicher 1109) and snatched away the truck from the driver Md. Mozid Ali.

6. I have considered the submissions at the Bar that the petitioner has been languishing in the jail for 50 days. I have also considered the submissions that the petitioner is willing to co-operate with the investigation. The petitioner is a local resident and he is not a flight risk. Investigation may have presumably progressed to a certain extent.

7. Considering all aspects, the petition is allowed. The petitioner is enlarged on bail of Rs. 35,000/- (Rupees Thirty-five thousand) with a local surety of like amount to the satisfaction of the Chief Judicial Magistrate, Morigaon under the condition that the petitioner shall refrain from such activities with which he is alleged with, failing which bail order shall stand cancelled.

JUDGE

Comparing Assistant