

GAHC010093072024



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

Case No. : Bail Appln./1348/2024

SHAHABUDDIN SK. @ SHAHABUDDIN SHEIKH
S/O LATE JUBAN ALI
R/O VILL- LINGDOBA, P.S. BONGAIGAON
IN THE DISTRICT OF BONGAIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MS M BORAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 27-05-2024

Heard Ms. B. Gogoi, learned counsel for the petitioner Shahabuddin Sk @ Shahabuddin Sheikh.

2. The petitioner has filed this application under Section 439 of the Code of Criminal Procedure, 1973 (CrPC for short) as he is behind bars since 25.03.2024

in connection with Bongaigaon Police Station Case No. 109/2024 under Sections 302/34 of the Indian Penal Code, 1860.

3. Heard Mr. R.R. Kaushik, learned Additional Public Prosecutor for the respondent State.

4. The learned Additional Public Prosecutor has submitted that according to the postmortem report and the opinion of the doctor, death of the victim was suicidal in nature due to ante mortem hanging.

5. Considering the submissions at the bar and considering the length of detention and progress of investigation, petition is allowed.

6. The petitioner is enlarged on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty Thousand) with a suitable surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Bongaigaon.

7. In the above terms and observations, this Bail Application stands disposed of.

8. Send back the Case Diary.

JUDGE

Comparing Assistant