

GAHC010095192024



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

Case No. : Bail Appln./1382/2024

BIPUL NEOG
S/O LATE HEMA KT. NEOG,
R/O NORTH P.S. CAMPUS
P.S. NORTH LAKHIMPUR,
DIST. LAKHIMPUR
STATE- ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR D MEDHI

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 03-06-2024

Heard Mr. K. Thakur, learned counsel for the petitioner Bipul Neog, who has filed this application under Section 439 of the Code of Criminal Procedure, 1973 as he is behind bars since 04.05.2024 in connection with North Lakhimpur

Police Station Case No. 120/2024 under Sections 341/384/392/323/34 of the Indian Penal Code, 1860.

2. Heard Mr. B.B. Gogoi, learned Additional Public Prosecutor, Assam for the respondent State.

3. The learned Additional Public Prosecutor has submitted that there are incriminating materials in the Case Diary against the present petitioner.

4. The allegations against the petitioner is that the petitioner along with his companions stopped the vehicle of the informant and robbed him of Rs.10,000/- (Rupees Ten Thousand) and also assaulted the informant along with his friends and threatened the informant with dire consequences.

5. I have perused the Case Diary.

6. Indeed there are incriminating materials in the Case Diary against the petitioner. However, investigation has progressed to a considerable extent. It appears that further custodial detention may not be required for the progress of investigation.

7. Considering all aspects and in view of my foregoing discussions, petition is allowed.

8. The petitioner is enlarged on bail on furnishing a bail bond of *Rs.30,000/- (Rupees Thirty Thousand)* with a suitable surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, North Lakhimpur under the conditions that:

(i) *The petitioner shall refrain from such activities with which he is alleged.*

(ii) *The petitioner shall not leave the jurisdiction of the Court without prior*

permission till completion of investigation.

9. On breach of any of the bail conditions, bail order shall stand cancelled.
10. In the above terms and conditions, this Bail Application stands disposed of.
11. Send back the Case Diary.

JUDGE

Comparing Assistant