

GAHC010095572024



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

Case No. : Bail Appln./1391/2024

ZINADDI HOQUE
S/O KARIBUDDIN SEKH
VILL- GARUCHATAKA
P.S. DHUPDHARA
DIST. GOALPARA, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A PARAMANIK

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 17.05.2024

Heard Mr. A. Paramanik, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 439 of the Code of Criminal Procedure, 1973, praying for grant of bail to the accused/petitioner, who has been arrested in connection with Dharamtul P.S. Case No. 08/2024, under Section 395 of the Indian Penal Code.

It is submitted Mr. A. Paramanik, learned counsel for the petitioner, that the present accused/petitioner has been arrested in connection with this on 21.02.2024 and for the last 86 days, he is in custody and hence, considering his length of detention, he may be enlarged on bail. However, he is ready and willing to co-operate with the I.O. in the further investigation of the case if he is granted with the privilege of bail.

In this context, Mr. P. Borthakur, learned Additional Public Prosecutor, has submitted that the case is of very serious in nature. However, considering his length of detention, his prayer may be considered.

After hearing the submissions made by the learned counsels for both sides and without going by the merit of the case and only considering the length of detention already undergone by the accused/petitioner, I find that further custodial interrogation of the accused/petitioner seems to be not necessary for the interest of investigation.

Accordingly, it is provided that on furnishing a bond of Rs. 20,000/- (Rupees twenty thousand) only with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Morigaon, the accused/petitioner, namely, Zinaddi Hoque, be enlarged on bail, subject to the following conditions:

- (i) that the petitioner shall fully co-operate with the I.O. and shall make himself available for interrogation by the I.O. as and when required in connection with the aforesaid P.S. Case;
- (ii) that the petitioner 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; and
- (iii) that the petitioner shall not leave the jurisdiction of the learned Chief Judicial Magistrate, Morigaon, without prior permission.

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

JUDGE

Comparing Assistant