

GAHC010095622024



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

Case No. : Bail Appln./1430/2024

SANTOSH SINGH AND ANR
S/O SRI SOTHNAM SINGH
VILL- ROHINIBIL GAON, P.S. THELAMARA, DIST. SONITPUR, ASSAM

2: MAINUL HAQUE
S/OLATE NUR UDDIN ANSARI

VILL- MEDHICHUBURI
P.S. DHEKIAJULI
DIST. SONITPUR
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE LEARNED PP, ASSAM

Advocate for the Petitioner : MR. A GANGULY

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

07.06.2024

Heard Mr A Ganguly, learned counsel for the petitioners, 1) Sri Santosh Singh and

2) Mainul Haque Ansari.

2. The petitioners have filed this application under Section 439 of the Code of Criminal Procedure, 1973, with prayer for bail, as they are behind bars since 09.04.2024, in connection with Dhekiajuli PS Case No. 50/2024, corresponding to GR Case No. 314/2024, under Sections 306/34 of the Indian Penal Code, 1860.

3. Heard Mr B B Gogoi, learned Additional Public Prosecutor for the State of Assam.

4. The allegation against the present petitioners is that they are guilty of abetment to commit suicide as they have instigated the victim, i.e., the brother of the informant to commit suicide.

5. The Case Diary is received, but the suicide note has not been forwarded with the Case Diary.

6. However, I have considered the submission that the petitioners are behind bars for 59 days.

7. The Case Diary also reveals that investigation has progressed to a considerable extent.

8. Considering the length of detention, petition is allowed. The petitioners are enlarged on bail of Rs. 50,000/- each, with two local sureties each of the like amount to the satisfaction of the learned CJM, Tezpur.

9. With the above directions, this bail application stands disposed of.

10. Send back the Case Diary.

JUDGE

Comparing Assistant