

GAHC010098102024



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

Case No. : Bail Appln./1411/2024

NIKHIL AGARWAL
S/O SRI ASHOK AGARWAL
R/O TAYAL BHAWAN, FEEDER ROAD,
PARBATIA, P.O., P.S. AND DIST. TINSUKIA, ASSAM-786125

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. B D KONWAR SR. ADV.

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 22-05-2024

Heard Mr. B.D Konwar learned senior counsel assisted by Mr. H Agarwal learned counsel for the petitioner. Also heard Mr. M Phukan learned PP, State of Assam.

This application under section 439 Cr.P.C is preferred by

accused namely **Nikhil Agarwal** who has been languishing in jail hazot in connection with the **Tinsukia PS Case no.122/2024** under section 120(B)/406/420 IPC for granting bail.

The FIR reveals that on the basis of a report that illegal Gambling and Betting of IPL Cricket match are being held, Tinsukia police searched certain premises, more particularly, the premise of one Suprit Biswas @ Honny Singh and arrested him. Thereafter another person namely Bikash Beria was arrested and on the basis of the statement made by the accused Bikash Beria, the petitioner was arrested on 03.05.2024 and since then the petitioner is in custody.

Perused the case diary produced today.

The case diary reflects that the main kingpin is accused Bikash Beria and the petitioner herein is the money handler of the accused Bikash Beria. It is also seen that certain amount of money were recovered from the house of the accused person. Except the aforesaid material, till now no other specific material is available against the present accused. The accused has also been thoroughly interrogated by the investigating officer. He has been in custody since 03.05.2024.

Considering the period of detention and the materials so far collected, this court is of the view that further custodial detention of the petitioner may not be necessary. Accordingly it is directed that the petitioner, above named, in connection with the aforementioned case be released on bail on his furnishing a bond of Rs.1,00,000/- (Rupees one lakh only) with one solvent surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Tinsukia,

Assam with the following conditions:

I. The petitioner shall not leave the territorial jurisdiction of the aforesaid police station without prior written permission from its officer in charge and make himself present before the I.O as and when called for;

II. The petitioner shall not hamper with the investigation of the case and tamper with the evidence of the case;

III. 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 them from disclosing such facts to the court or to any police officer.

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

JUDGE

Comparing Assistant