

GAHC010099502024



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

Case No. : Bail Appln./1427/2024

KER MIOOX P LADIA
S/O LATE DROS LYNGDOH
R/O KHLEONGRIANG,
P.S. JOWAI
DIST. WEST JAINTIA HILLS,
STATE- MEGHALAYA,
PIN-793150

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, GOVT. OF ASSAM

Advocate for the Petitioner : MR. P K DAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 29-05-2024

Heard Mr. P.K. Das, learned counsel for the petitioner Sri Ker Mioox P Ladia.

2. The petitioner has filed this application under Section 439 of the Code of Criminal Procedure, 1973 (CrPC for short) with a prayer for bail as he is behind bars since 02.05.2024 in connection with Garchuk Police Station Case No. 129/2024 under Sections 420/379/411/413 of the Indian Penal Code, 1860 (IPC for short).
3. Also heard Mr. B.B. Gogoi, learned Additional Public Prosecutor, Assam for the respondent State.
4. The FIR unfolds that on 21.04.2024, the truck bearing registration No. AS-01-EC-1659 loaded G.L. Corragated sheet JSW Vishwast (0.20 mm) (1) and another PVC empty drum loaded from Beharbari and proceed to Silchar Maruti Hardware for delivery. The loaded items were valued at Rs.21,86,850/- (approximately). When the informant lost communication with the driver, the matter was informed to the Garchuk Police Station suspecting the driver and the staff of the loaded truck to be involved in the disappearance.
5. It is submitted by the learned Additional Public Prosecutor that during investigation it was unearthed that the aforementioned truck (AS-01-EC-1659) was actually having the registration No. TR-01-AV-1674. The learned Additional Public Prosecutor has stated that the petitioner had purchased the stolen goods which have been finally seized in connection with this case. It is further submitted by the learned Additional Public Prosecutor that there are incriminating materials in the Case Diary against the petitioner. However, all the articles have been seized in connection with this case.
6. I have considered the submissions at the bar with circumspection and I have also scrutinized the Case Diary.
7. Investigation has progressed to a considerable extent. The articles which

were fraudulently loaded have been seized in connection with this case. The petitioner has pledged to cooperate with the remaining part of investigation.

8. Considering all aspects and in view of my foregoing discussion, petition is allowed.

9. 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, Kamrup (M) under the conditions that:

The petitioner shall refrain from such activities with which he is alleged, failing which, bail order shall stand cancelled.

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

JUDGE

Comparing Assistant