

GAHC010102012024



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

Case No. : Bail Appln./1498/2024

ABINASH BHAGAWAN SALONKHE
S/O BHAGAWAN SALONKHE
R/O WARD NO. 9, LACHIT ROAD,
P.O. AND P.S. HAWLI
DIST. BARPETA, ASSAM
PIN-781316

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR G CHAMUAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

03.06.2024

Heard Mr. G. Chamuah, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor for the State.

This is an application made under Section 439 Cr. P.C. seeking bail by the

accused/petitioner, namely, **Abinash Bhagawan Salonkhe**, who was arrested on 15.05.2024 in connection with Hatigaon P.S. Case No. 87/2024 registered under Sections 457/380 of IPC corresponding to G.R. Case No. 2545/2024.

The case diary is received. Perused the same.

Mr. B. Sarma, learned Additional Public Prosecutor for the State while vehemently objecting the present bail application argues that the petitioner is a goldsmith and at his instances, thieves are stealing gold ornaments and selling it to them and a huge racket is involved in this case and therefore, the petitioner shall not be enlarged on bail.

From the case diary, it is seen that there are sufficient incriminating materials to suggest that the petitioner is involved in purchasing stolen gold ornament. Most of the accused persons (thief, purchaser of stolen property) have already been arrested. It is also seen from the case diary that the petitioner and other co-accused persons had thoroughly been interrogated by the investigating officer and certain ornaments have already been recovered.

Considering the material so far collected against the present accused/petitioner, the stage of investigation as well as the period of detention, this Court is of the view that the further custody of the petitioner may not be necessary in this case.

Accordingly, it is directed that the petitioner, named above, be released on bail in connection with the case aforementioned, on his furnishing bail bond of Rs.1,00,000/- (Rupees One Lakh Only) with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M) at Guwahati, with the following conditions.

- (a) Shall not leave the territorial jurisdiction of learned Chief Judicial Magistrate, Kamrup (M) at Guwahati, without prior written permission from him/her;

- (b) Shall not hamper with the investigation of the case and tamper with the evidence of the case;
- (c) 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 office.
- (d) Shall not involve himself in commission offence(s) of similar nature.

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

Return back the case diary.

JUDGE

Comparing Assistant