

GAHC010102552024



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

Case No. : Bail Appln./1486/2024

ABDUL JABBAR SK. @ JABBAR SK.
S/O YUNISH ALI SK.
R/O VILL- KOIMARI PART-II
P.S. GOLAKGANJ, DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M KHAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

14.06.2024

Heard Mr. M. Khan, learned counsel for the petitioner. Also heard Mr. B.B. Gogoi, learned Additional Public Prosecutor, Assam for the State respondent.

This is an application under Section 439 Cr.P.C. filed by the petitioner, namely, **Abdul Jabbar Sk. @ Jabbar Sk.**, who was arrested on 22.03.2024 in connection with **Golakganj Police Station Case No.52/2024** registered under Sections 498(A)/304(B)/34 IPC (G.R. Case No.278/2024).

It is submitted by learned counsel for the petitioner that the petitioner has been

behind the bar for 85 days and he is willing to abide by any stringent condition imposed upon him if he is enlarged on bail.

Learned Additional Public Prosecutor has produced the case diary and submitted that there are incriminating material available in the case diary against the petitioner.

I have perused the case diary. Indeed there are incriminating material against the petitioner. The case diary also reveals that investigation has progressed to a considerable extent. It appears that further custodial detention of the petitioner may not be required for the progress of investigation. The petitioner is a local resident and he is not a flight risk.

In view of the above and considering the length of detention of the petitioner, the prayer for bail is allowed. The petitioner named above is enlarged on bail of Rs.50,000/- with one surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Dhubri subject to the following conditions:-

- i) that the petitioner shall cooperate with the investigation of the case;
- ii) that the petitioner shall not exercise threats to the witnesses; and
- iii) that the petitioner shall not leave the jurisdiction of the Chief Judicial Magistrate, Dhubri without obtaining prior permission.

On breach of any of the above conditions, the bail order shall stand cancelled.

Bail application accordingly stands disposed of.

Send back the case diary.

JUDGE

Comparing Assistant