

GAHC010110292024



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

Case No. : Bail Appln./1608/2024

SELIM ALI
S/O ISLAM ALI
R/O H. NO. 12,
CHANDAN NAGAR,
SHIV MANDIR PATH,
P.S.NOONMATI, DIST. KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR D MEDHI

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

04.06.2024

- 1.** Heard Mr. D. Medhi, learned counsel for the petitioner, Selim Ali.
- 2.** This application has been filed by the petitioner under Section 439 of the

Cr.PC as he is behind bars since 27.04.2024 in connection with Noonmati P.S. Case No. 92/2024 under Sections 294/506/436 IPC.

3. Heard Ms. S. Jahan, learned Additional Public Prosecutor, Assam, for the respondent State.

4. It is submitted on behalf of the petitioner that charge sheet has been laid against the petitioner, and he is willing to co-operate with the trial.

5. He is willing to abide by any stringent conditions if imposed upon him.

6. It is further submitted that a false case has been brought up against him. His family is suffering as he is the sole bread winner amongst his family.

7. The petitioner has annexed statements of the witnesses under Section 161 Cr.PC.

8. Ms. S. Jahan, learned Additional Public Prosecutor has submitted that there are incriminating materials in the Case Diary against the petitioner.

9. I have considered the submissions at the Bar with circumspection.

10. The petitioner is a local resident and he is willing to co-operate with the trial.

11. In view of my foregoing discussions and considering all aspects, petition is

allowed.

12. The petitioner is enlarged on bail of Rs. 50,000/- (Rs. Fifty Thousand) with a suitable surety of like amount to the satisfaction of the Trial Court under the condition that;

(i) the petitioner shall refrain from such activities with which he is alleged;

(ii) the petitioner shall not go anywhere near the vicinity of the informant,

(iii) the petitioner shall not exercise threats to witnesses, and

(iv) the petitioner shall not leave the jurisdiction of the Court without prior permission till completion of investigation.

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

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

JUDGE

Comparing Assistant