

GAHC010110382024



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

Case No. : Bail Appln./1596/2024

SAHIDULISLAM AND ANR.
S/O SAMSUL HOQUE
PERMANENT R/O VILL- CHACHAPARA
WARD NO. 3, P.O. AND P.S. BILASIPARA,
DIST. DHUBRI, ASSAM
PIN-783348

2: MOZIDUL ISLAM
S/O PERMANENT RESIDENT OF VILL- HAKAMA PT.-4

WARD NO. 8
P.O. AND P.S. BILASIPARA

DIST. DHUBRI
ASSAM
PIN-78334

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. JYOTIRMOY ROY

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

10-06-2024

Heard Mr. J Roy, learned counsel for the petitioners and Mr. R J Baruah, learned Additional Public Prosecutor, Assam for the State.

2. This is an application made under **Section 439 Cr.P.C.**, seeking bail by the petitioners, namely, (i) **Sahidul Islam** and (ii) **Mozidul Islam** in connection with **Bilasipara Police Station Case No. 129/2024**, registered under Sections **14/15 of the Assam Game and Betting Act, 1970**.

3. Learned counsel for the petitioners has submitted that both the petitioners have been detained in custody for the last 16 days, without committing any offence.

4. As per the FIR of the case, the allegation is that the petitioners were involved in illegal betting of IPL, but it is submitted that they were not connected with any such illegal betting, which is also not reflected in the FIR.

5. On the other hand, Mr. R J Baruah, learned Additional Public Prosecutor, Assam has produced the case diary and has submitted that as per the case diary, it is only stated that the petitioners were involved in illegal betting of IPL.

6. In view of the above and considering the length of detention, this Court is inclined to grant bail to the petitioners.

7. Accordingly, the petitioners, named above, shall be released on bail in connection with **Bilasipara P.S. Case No. 129/2024**, registered under Sections **14/15 of the Assam Game and Betting Act, 1970**, on furnishing bail bond of **Rs.20,000/-** each with **one suitable surety** each of the like amount, to the satisfaction of learned SDJM, Bilasipara, Assam.

The direction for bail is further subject to the conditions that the petitioners:

(a) shall not leave the territorial jurisdiction of learned SDJM, Bilasipara, Assam without prior written permission from him/her;

(b) 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 officer;

(c) shall not hamper with the investigation, or tamper with the evidence of the case.

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

9. Send back the case dairy.

JUDGE

Comparing Assistant