

GAHC010112612024



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

Case No. : Bail Appln./1628/2024

LALSAN ALI @ LALCHAN ALI @ LACHAND ALI
S/O LT. ROHOM ALI @ RAHAM ALI, PRESENT ADDRESS- R/O KATAHBARI,
P.O. AND P.S.-GARCHUK, DIST- KAMRUP (M), ASSAM, PIN-781035.
PERMANENT ADD- VILL- BOGUAN AMBARI, P.O.-AMBARI, P.S.-BOGUAN,
DIST- GOALPARA, ASSAM, PIN-783123

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. M R KHANDAKAR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

14.06.2024

Heard Mr. M.R. Khandakar, learned counsel appearing for the petitioner. Also heard Mr. B.B. Gogoi, learned Additional Public Prosecutor, Assam, appearing for the

opposite party.

This Bail Application under section 439 of the CrPC has been filed by the petitioner, namely, Lalsan Ali @ Lalchan Ali @ Lachand Ali, with the prayer to grant bail as he has been behind bars since 21.05.2024 in connection with Garchuk Police Station Case No. 146/2024 (corresponding to G.R. Case No. 2922/2024), registered under Section 379/413 of the IPC.

The FIR reveals that while conducting search at the "scrap damp" owned by the petitioner, the police personnel found 48 Kg of Copper, 65 Kg of Aluminium, 5 Kg of Tin and 2.6 Kg of Brass materials. The petitioner was arrested and forwarded to custody as he could not produce any valid documents during investigation in respect of the said materials.

It is further submitted that the petitioner is willing to cooperate with the remaining part of the investigation of the case and also to abide by any stringent condition(s) that may be imposed by this Court while granting bail.

I have perused the Case Diary and the materials available on record.

The Case Diary reveals that the investigation has progressed to a considerable extent and it appears that further custodial detention of the petitioner may not be necessary.

In view of the above and considering the fact that the petitioner is willing to cooperate with the investigation of the case and also to abide by any stringent condition(s) that may be imposed by this Court while granting bail, this Court is inclined to grant bail to the petitioner.

Accordingly, this Bail Application is allowed. The petitioner is directed to be enlarged on bail of Rs. 30,000/-, with one surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (Metro), subject to the conditions that:-

- (i) The petitioner shall refrain from such activities in future.
- (ii) The petitioner shall not leave the territorial jurisdiction of the Chief Judicial Magistrate, Kamrup (Metro), without prior permission, till completion of the investigation
- (iii) On breach of any of the bail conditions, the bail order shall stand cancelled.

Bail Application stands disposed of.

Send back the Case Diary.

JUDGE

Comparing Assistant