

GAHC010114122024



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

Case No. : Bail Appln./1652/2024

SIRAJ ALI @ CHIRAJ ALI
S/O HUSSAIN ALI, R/O KASUAPATHR, P.S.-MUKALMUA, DIST- NALBARI,
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR T H HAZARIKA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 19-06-2024

Heard Mr. T.H Hazarika, learned counsel for the petitioner and
Mr. R.R. Kaushik, learned Addl. PP, Assam appearing for the state
respondent.

This application under section 439 of the Code of Criminal
Procedure, 1973 is preferred by accused, namely, ***Siraj Ali @ Chiraj***

Ali who was arrested on 06.05.2024 in connection with **Hatigaon PS Case No.87/2024** under sections **457/380 IPC**.

Case diary is received and perused the same.

The petitioner was arrested on 06.05.2024 and he is behind the bars since then. The offences alleged are under section 457/380 IPC. A co-accused had already been granted bail by the learned trial court below under its order dated 10.06.2024 passed in Bail Appln No.494/2024.

Learned counsel for the petitioner submits that the accused has thoroughly been interrogated by the investigating officer and co-operated with the investigation.

Considering the facts and circumstances of the case and the period of detention, this court without commenting anything on the merits of the case is of the opinion that no further custodial interrogation/detention of the petitioner is required. Accordingly, it is directed that the petitioner, above named, in connection with the aforementioned case be released on bail on his furnishing a bond of Rs.50,000/- (Rupees fifty thousand only) with one solvent surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M) with the following conditions:

I. The petitioner shall not leave the territorial jurisdiction of the aforesaid police station without prior written permission from its officer in charge;

II. The petitioner shall not hamper with the investigation of the case and tamper with the evidence of the case;

III. The petitioner 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 them from disclosing such facts to the court or to any police officer.

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

Send back the case diary.

JUDGE

Comparing Assistant