

GAHC010118002024



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

Case No. : Bail Appln./1720/2024

SAHIDUL ISLAM @ BULBUL
S/O- LATE RAHAM ALI
VILL- MOHRIPAMP
P.O. MANDIA, P.S. BAGHBAR
DIST-BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR S H SIKDAR, MR. S HAQUE, MS S ABDULLAH, MD IMRAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

05.09.2024

Heard Mr S H Sikdar, learned counsel for the petitioner, Sahidul Islam @ Bulbul, who has filed this application under Section 483 of the BNSS, 2023, with prayer for bail as he is behind bars for 186 days, since 04.03.2024, in connection with PRC Case No. 1341/2024, arising out of Hatigaon PS Case No. 249/2023, under Sections 302/34 of the Indian Penal Code, 1860.

2. Heard Mr B B Gogoi, learned Additional Public Prosecutor for the State of Assam.
3. The allegation against the petitioner is that the petitioner, as led by the son of the deceased, committed murder of the deceased.
4. Charge sheet has been laid against the petitioner.
5. It is submitted on behalf of the petitioner that the co-accused has already been enlarged on bail by the learned trial Court as well as by the learned Chief Judicial Magistrate.
6. I have considered the submissions at the Bar with circumspection.
7. Investigation is complete.
8. Charge sheet has already been laid.
9. The petitioner is willing to cooperate with the trial.
10. I have also considered the ground of parity.
11. I have also considered the length of detention.
12. It appears that bail may be granted to the petitioner.
13. Considering all aspects and in view of my foregoing discussions, petition is allowed. The petitioner is enlarged on bail of Rs 50,000/- (Rupees Fifty Thousand Only), with a suitable surety of the like amount to the satisfaction of the learned trial Court, under the conditions that:

- (i) the petitioner shall cooperate with the trial,

ii) the petitioner shall not leave the jurisdiction of the Court, without prior permission, till completion of trial, and

iii) the petitioner shall not exercise threats to the witnesses or try to influence the witnesses.

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

14. Bail Application stands disposed of.

JUDGE

Comparing Assistant