

GAHC010119852024



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

Case No. : Bail Appln./1743/2024

BINOD TALUKDAR
S/O LATE SISHURAM TALUKDAR
R/O NIZAN PATH, BYE LANE NO.02, P.O. UDAYAN BIHAR,
P.S. SATGAON
DIST. KAMRUP (M), ASSAM
PIN-781027

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M SARANIA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 24.06.2024

Heard Mr. F. Khan, learned counsel for the petitioner Binod Talukdar who has filed this petition with a prayer for bail as he is behind the bars since 03.06.2024 in connection with Satgaon P.S. Case No. 87.2024 under Sections 326/307 of the IPC.

Heard Mr. B.B. Gogoi, learned Addl. P.P., Assam for the State respondent.

The allegation made against the petitioner is that on 02.06.2024 while the complainant along with his son was proceeding on the lane No. 2 of Nizan Path on a motorcycle at around 12-25 PM the petitioner

tried to kill them. It is also alleged that the petitioner assaulted the informant with an iron rod in an attempt to commit murder but the informant's helmet saved the informant from receiving injury on his head.

It is also submitted on behalf of the petitioner that the wife of the petitioner has also lodged an FIR against the informant and his son which has been registered as Satgaon P.S. Case No. 86/2024 under Sections 447/294/323/354/506 of the IPC.

I have considered the submissions at the bar with circumspection. It appears that there was a clash between both the parties. The statement of the informant and his son has been recorded. I have also scrutinised the case diary as well as the statement of informant's son as well as the informant.

It appears that further custodial detention of the petitioner may not be required. The investigation has also progressed to a considerable extent. The petitioner is willing to co-operate with the remaining part of the investigation and to abide by any stringent conditions imposed upon him.

Accordingly, it is provided that the accused petitioner, namely, Binod Talukdar, be enlarged on bail, on furnishing a bond of Rs. 30,000/- (Rupees thirty thousand) only with one surety of the like amount to the satisfaction of the learned Elaka Magistrate subject to the following conditions :

- i. The accused/petitioner shall not leave the territorial jurisdiction of the learned Elaka Magistrate without prior permission.
- ii. the petitioner shall make himself available for interrogation by the I.O. as and when required;
- 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 him from disclosing such facts to the Court or to any Police Officer;
- iv. on breach of any of the above bail conditions, the bail order shall stand cancelled.

Send back the Case diary.

The bail application is disposed of.

JUDGE

Comparing Assistant