

GAHC010133922024



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

Case No. : Bail Appln./1958/2024

ABHISHEK THAKUR
S/O- LATE SANTOSH THAKUR, R/O- CHANDMARI, MAMONI RAYSAM
GOSWAMI ROAD, BYE LANE-6, P.S.- CHANDMARI, DIST KAMRUP(M),
ASSAM.

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR S M ABDULLAH P

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

29.07.2024

Heard Mr. S.M. Abdullah P., learned counsel for the petitioner, namely, Abhishek Thakur, who has filed this application under Section 439 of the Cr.P.C., with a prayer for bail, as he is behind bars since 13.06.2024 in connection with Latasil P.S. Case No.59/2024, under Section 328/392 of the IPC.

Also heard Mr. R.R. Kaushik, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

The allegation against the petitioner is that he had committed robbery of a golden chain from the shop of the informant by brandishing a gun.

The learned Additional P.P. has submitted that there are incriminating materials in the case diary against the petitioner, who was caught red handed while committing the alleged offence.

I have considered the submissions at the bar and I have scrutinized the case diary. There are indeed cogent materials in the case diary against the petitioner.

I have considered the submission of the learned counsel for the petitioner that the stolen articles have already been recovered and the petitioner is a young lad aged 22 years. I have also considered the submission that the petitioner is willing to cooperate with the remaining part of the investigation and to abide by any stringent bail conditions, if imposed upon him. The petitioner is a local resident and he is not a flight risk.

The case diary reveals that the investigation has progressed to a considerable extent. It appears that further custodial detention may not be required for the progress of investigation.

Considering all aspects and in view of the foregoing discussions, the bail application is allowed. The petitioner is enlarged on bail of ₹ 30,000/- with a suitable surety of like amount to the satisfaction of the learned C.J.M., Kamrup(M), under the conditions that -

- (i) the petitioner shall refrain from such activities with which he is alleged;
- (ii) the petitioner shall cooperate with the remaining part of the investigation; and
- (iii) the petitioner shall not leave the jurisdiction of the Court without prior permission.

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

Send back the case diary.

Sd/- *Susmita Phukan Khaund*
JUDGE

Comparing Assistant