

GAHC010136162024



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

Case No. : Bail Appln./1975/2024

KHAIRUL HUSSAIN AND ANR
S/O- KHAIBAR ALI, R/O- VILL- SANOWATARI, PS- SIPAJHAR, DIST.-
DARRANG, ASSAM

2: DUDUL KAZI
S/O- LT SIRAJ KAZI
R/O- KHUDRAPALAHA
PS- BAIHATA CHARIALI
KAMRUP (R)
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP, ASSAM

Advocate for the Petitioner : MR. A M BORA

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

03.07.2024

Heard Mr. AM Bora, learned Senior counsel assisted by Mr. DK Baidya, learned

counsel for the petitioners. Also heard Ms. SH Bora, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 483 of the BNSS, 2023 praying for granting regular bail to the petitioners, 1. Khariul Hussain and 2. Dudul Kazi, who were arrested on 19.06.2024 in connection with Sipajhar PS case No. 94/2024 under Section 120B/420/468/506 IPC.

Perused the FIR as well as forwarding report of the petitioners and other co accused persons.

The petitioners are not named in the FIR inasmuch as the other accused persons were the prime accused and the involvement of the petitioner is also not mentioned, while forwarding the other accused persons.

Considering the period of detention and nature of allegation as regards the present petitioners, who are not the prime accused, this court is of the view that further custodial interrogation/ detention of the petitioners may not be necessary. Accordingly, it is directed that the petitioners, above named, in connection with the aforementioned case be released on bail on their furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one solvent surety of the like amount to the satisfaction of the learned SDJM, Darrang with the following conditions.

- (1) The petitioners shall not hamper with the investigation, or tamper with the evidence of the case,
- (2) The petitioners shall not repeat similar offence in future;
- (3) The petitioners 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,
- (4) The petitioners shall appear before the I/O on each and every date as called for.

Bail application stands disposed of.

JUDGE

Comparing Assistant