

GAHC010137372024



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

Case No. : Bail Appln./2008/2024

HARINDAR PRASAD
S/O LATE RAMHIT PRASAD,
R/O PATARIM, UMSNING, P.S.- UMSNING, DIST.- RI BHOI, MEGHALAYA.

VERSUS

THE STATE OF ASSAM
REP. BY P.P., ASSAM.

Advocate for the Petitioner : MR D MEDHI

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 11-07-2024

Heard Mr. K. Thakur, learned counsel for the petitioner. Also heard Ms. S.H. Bora, learned Additional Public Prosecutor appearing for the State.

The present application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been instituted by the petitioner praying for bail in

connection with Gorchuk Police Station Case no. 180/2024 under Sections 120(B)/420/406/379, Indian Penal Code.

The petitioner was placed under detention in connection with the said case on 20.06.2024.

I have perused the materials available on record and on consideration of the fact that the materials, purportedly said to have been stolen, have already been recovered from the godown of the petitioner and also considering the length of detention undergone by the petitioner and there being no further requirement for custodial interrogation, the petitioner is entitled to be enlarged on bail.

In view of the above, the petitioner viz. Harindar Prasad is allowed to go on bail on furnishing a bail bond of Rs. 30,000 (Rupees Thirty Thousand) with a surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), subject to the following conditions :-

- [1] The petitioner shall co-operate with the investigation and make himself available as and when his presence is required by the I.O. in the investigation of the case;
- [2] The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;
- [3] The petitioner shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police.

- [4] The petitioner shall not leave the territorial jurisdiction of the aforesaid police station, without prior written permission from its officer in charge;
- [5] The petitioner shall maintain law and order and he shall not commit an offence similar to the offence of which he is accused, or of the commission of which he is suspected; and
- [6] The accused-petitioner shall regularly remain present during the trial and co-operate the Court to complete the trial for the above offences, if charge sheeted in the case.

This application stands disposed of in the afore-mentioned terms.

JUDGE

Comparing Assistant