

GAHC010142482024



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

Case No. : Bail Appln./2093/2024

ASHRAFUZ ZAMAN
S/O GULENUR AHMED, R/O WARD NO. 1, MANGALDOI, DARRANG, P.S.-
MANGALDOI, DIST- DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A M BORA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

22.07.2024

1. Heard learned counsel Mr. A. M. Bora for the petitioner Ashrafuz Zaman.
2. This application has been filed by the petitioner under Section 483 of the BNSS with prayer for bail as he is behind bars since 03.07.2024 in connection

with Dispur P.S. Case No. 676/2024 under Sections 87/115(2)/117(2)/134/303(2)/324(2) of the BNSS.

3. Heard Mr. B. B. Gogoi, learned Additional Public Prosecutor, Assam for the respondent State.

4. The allegation against the petitioner is that he assaulted the victim inside his car near Narayana Hospital with an iron rod and with an intent to commit murder. He broke her mobile phone and took away the same. The petitioner has threatened the victim with dire consequences. The FIR has been lodged by the victim's father.

5. I have considered the submissions at the Bar with circumspection.

6. It is submitted on behalf of the petitioner that the victim and the petitioner were in a love relationship. Both of them are students of Law college.

7. The petitioner is willing to co-operate with the remaining part of the investigation. The petitioner is willing to abide by any stringent bail conditions, if imposed upon him.

8. It is submitted that further custodial detention may not be required for progress of investigation.

9. 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), with a suitable surety of like amount to the satisfaction of the learned CJM, Kamrup (M), under the conditions that:

(i) the petitioner shall not go anywhere near the

vicinity of the victim,

(ii) the petitioner shall not leave the jurisdiction of the Court without prior permission, and

(iii) the petitioner shall not temper with the evidence and try to influence the witnesses.

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

JUDGE

Comparing Assistant