

GAHC010144732024



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

Case No. : Bail Appln./2170/2024

SOFIQL ISLAM AND ANR.
S/O BELLAL HUSSAIN
R/O BHARALKUDI BEEL,
P.S. JOGIGHOPA
DIST. BONGAIGAON, ASSAM

2: FOJAL HOQUE @ FAJAL HOQUE
S/O DILSAD ALI
R/O BHARALKUNDI
KOREYA PT. 1
P.S.JOGIGHOPA
DIST. BONGAIGAON
ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MRS. B GOGOI, MS M BORAH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 12-08-2024

1. Heard Ms. B. Gogoi, learned counsel for the petitioners 1. Sofiqul Islam and 2. Fojal Hoque @ Fajal Hoque.

2. The petitioners have filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as they are behind behind bars since 29.06.2024 in connection with Umrangso Police Station Case No. 10/2024 under Sections 406/420/468/471 of the IPC.

3. Heard Mr. M.P. Goswami, learned Additional Public Prosecutor, Assam for the respondent State.

4. The FIR unfolds that the person namely, Abul Awal whose GSTIN number has been cancelled, was generating E-way bills in the name of the informant, Biren Singh Enghi. It is also submitted on behalf of the petitioners that the co-accused had already been enlarged on bail. The petitioners have prayed for bail on the grounds of parity.

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

6. I have considered the submissions on behalf of the petitioners that the petitioners are willing to cooperate with the remaining part of the investigation and they are willing to abide by any stringent bail conditions, if imposed upon them. The petitioners are local residents and they are not flight risks.

7. In view of my foregoing discussions, petition is allowed. The petitioners shall be enlarged on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with a suitable surety of like amount to the satisfaction of the learned CJM, Dima Hasao under the conditions that:

(i) The petitioners shall refrain from such activities with which they are alleged,

(ii) The petitioners shall co-operate with the remaining part of the investigation, and

(iii) The petitioners shall not leave the jurisdiction of the Court without prior permission.

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

9. In the above terms, this Bail Application stands disposed of.

JUDGE

Comparing Assistant