

GAHC010145962024



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

Case No. : Bail Appln./2126/2024

MANUWAR SK. AND 6 ORS.
S/O LT. TAHID SK.
R/O CHORIGACHA
P.S. BAHRAMPUR
DIST. MURSHIDABAD
STATE- WEST BENGAL,
TEMPORARY ADDRESS
C/O SHABIR HUSSAIN,
R/O LACHIT PARK NAGAR,
P.S.JALUKBARI
DIST. KAMRUP (M), ASSAM

2: AZMIR SK.
S/O AZMAIL SK.
R/O MIAN GRAM
P.S. SHAKTIPUR
DIST. MURSHIDABAD
STATE- WEST BENGAL
TEMPORARY ADDRESS-
C/O SHABIR HUSSAIN
R/O LACHIT PARK NAGAR
P.S. JALUKBARI
DIST. KAMRUP (M)
ASSAM

3: NASIR SK.
S/O KHOKAI SK.
R/O MIAN GRAM
P.S. SHAKTIPUR
DIST. MURSHIDABAD
STATE- WEST BENGAL
TEMPORARY ADDRESS-
C/O SHABIR HUSSAIN
R/O LACHIT PARK NAGAR

P.S. JALUKBAR
DIST. KAMRUP (M)
ASSAM

4: SARU SK.
S/O LT. PATU SK.
R/O MIAN GRAM
P.S. SHAKTIPUR
DIST. MURSHIDABAD
STATE- WEST BENAL

TEMPORARY ADDRESS-
C/O SHABIR HUSSAIN
R/O LACHIT PARK NAGAR

P.S. JALUKBARI
DIST. KAMRUP (M)
ASSAM

5: JAHANGIR ALAM
S/O REJAUL SK.
R/O KAPAS DANGA
P.S. BELDANGA
DIST. MURSHIDABAD
STATE- WEST BENGAL
TEMPORARY ADDRESS
C/O SHABIR HUSSAIN
R/O LACHIT PARK NAGAR

P.S. JALUKBARI
DIST. KAMRUP (M)
ASSAM

6: MD. REWAZ SK.
S/O IJRUL SK.
R/O SHAKTIPUR
P.S. SHAKTIPUR
DIST. MURSHIDABAD
STATE- WEST BENGAL
TEMPORARY ADDRESS
C/O SHABIR HUSSAIN
R/O LACHIT PARK NAGAR

P.S. JALUKBARI
DIST. KAMRUP (M)
ASSAM

7: JANARUL SK.
S/O LT. JALAI SK.
R/O MOURGRAM
P.S. KETUGRAM
DIST. BARDHAMAN
STATE- WEST BENGAL
TEMPORARY ADDRESS
C/O SHABIR HUSSAIN
R/O LACHIT PARK NAGAR

P.S. JALUKBARI
DIST. KAMRUP (M)
ASSA

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
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

24.07.2024

1. Heard learned counsel Mr. S. M. Abdullah P for the petitioners namely, (i) Manuwar Sk, (ii) Azmir Sk, (iii) Nasir Sk, (iv) Saru Sk, (v) Jahnagir Alam, (vi) Md. Rewaz Sk, and (vii) Janarul Sk.
2. This application has been filed by the petitioner under Section 483 of the BNSS, 2023 with prayer for bail as he is behind bars since 11.07.2024 in connection with Panabazar P.S. Case No. 164/2024 under Sections 305/317 of

the BNSS, 2023.

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

4. The allegation against the petitioners is that they were in possession of stolen parts of mobile handsets.

5. I have considered the submission at the Bar that the stolen articles have been recovered from the possession of the petitioners.

6. I have also considered the submission that further custodial detention may not be required for the progress of investigation. It appears that investigation may have presumably progressed to a considerable extent.

7. The petitioners are local residents and they are not flight risks.

8. The petitioners have pledged to abide by any stringent bail conditions, if imposed upon them.

9. Considering all aspects and in view of my foregoing discussions, Petition is allowed. The petitioners are enlarged on bail of Rs 30,000/- (Rupees thirty thousand) each, with a suitable surety of like amount to the satisfaction of the learned CJM, Kamrup, (M) 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.

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

JUDGE

Comparing Assistant