

GAHC010149292024



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

**Case No. : Bail Appln./2176/2024**

YUSUF ALI AND 2 ORS  
S/O- LATE ALI AHMED, R/O- KATAHBARI, PS- GARCHUK, DISTRICT-  
KAMRUP (M), ASSAM

2: SHAHID SHAH  
S/O- NORUTAN SHAH  
R/O- KATAHBARI SULTAN ALI PATH  
PS- GARCHUK  
DISTRICT- KAMRUP (M)  
ASSAM

3: IMRUL SARKAR  
S/O- KHALEK SARKAR  
R/O- KATAHBARI FAKARUDDIN PATH  
PS- GARCHUK  
DISTRICT- KAMRUP (M)  
ASSA

VERSUS

THE STATE OF ASSAM  
REP BY PP ASSAM

**Advocate for the Petitioner** : MR KUTUB ALI, MR M RAHMAN, MD S ALI

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE  
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

**ORDER**

**Date : 05.08.2024**

Heard Mr. S. Ali, learned counsel for the petitioners. Also heard Mr. M.P. Goswami, learned Addl. P.P., Assam for the State respondent.

The petitioners, namely, 1. Yusuf Ali, 2. Shahid Shah and 3. Imrul Sarkar have filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS) for granting bail as they are behind bars since 22.07.2024 in connection with Garchuk P.S. Case No. 221/2024 registered under Sections 14/15 of the Assam Game and Betting Act, 1970.

Case diary is received. I have perused the same.

The learned counsel for the petitioners has submitted that the petitioners are willing to cooperate with the investigation and they will abide by any stringent bail conditions if imposed upon them.

The learned Addl. P.P., Assam has submitted that the petitioners were caught red handed while they were illegally gambling inside the hotel.

The learned Addl. P.P. has raised objection as there are incriminating materials against the petitioners and the investigation is at its nascent stage.

I have considered the submissions at the bar with circumspection. I have also considered the submission of the learned counsel for the petitioners that the petitioners are willing to abide by any stringent bail conditions, if imposed upon them.

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

1. The petitioners shall not exercise threats to the witnesses and shall refrain from such activities with which they are alleged;
2. The petitioners shall not leave the jurisdiction of the jurisdictional Court without prior permission;
3. The petitioners shall cooperate with the Investigation;
4. The petitioners shall appear before the Investigating Officer on every fortnight till completion of the investigation.

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

Send back the case diary.

The bail application is disposed of.

**JUDGE**

**Comparing Assistant**