

GAHC010152352024



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

Case No. : Bail Appln./2230/2024

MD. ABDUL RAHIM
S/O MD PHULCHAND ALI, R/O NAGARBER, KALYANPUR, P.S.-
NAGARBERA, DIST- KAMRUP (R), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A PARAMANIK, P. KALITA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

01.08.2024

1. Heard learned counsel Mr. A. Paramanik for the petitioner Abdul Rahim.
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 11.06.2024 in

connection with Azara P.S. Case No. 124/2024 under Section 380 of the IPC.

3. Heard Mr. R. R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State.

4. The allegation against the petitioner is that he was involved in committing theft of Rs. 1.5 lacs cash along with other gold ornaments. It is submitted on behalf of the petitioner that the co-accused has already been granted bail.

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

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

7. The petitioner is a local resident and is not a flight risk.

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

9. Considering all aspects and in view of my foregoing discussions, Petition is allowed. The petitioner is enlarged on bail of Rs 30,000/- (Rupees thirty 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 refrain from such activities with which he is alleged,

(ii) the petitioner shall Co-operate with the remaining part of the investigation, and

(iii) the petitioner 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