

GAHC010157122024



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

Case No. : Bail Appln./2307/2024

SUN KR DAS
S/O LATE DHIRU DAS,
R/O BORDONGBARI,
P.S.-SATGAON,
DIST- KAMRUP (M), ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM.

Advocate for the Petitioner : MR. U K BARMAN,
MR. R KONWAR,
MR D PEGU,
MR H ALI

Advocate for the Respondent : PP, ASSAM.

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

Date : 13.08.2024.

Heard Mr. R. Konwar, learned counsel for the accused/ petitioner, namely, Sun Kr. Das.

2. The petitioner has filed this application under Section 483 of the Bharatiya

Nagarik Suraksha Sanhita, 2023, with prayer for bail as he is behind the bars since 15.07.2024, in connection with Dispur Police Station Case No.712/2024, under Sections 331(2)/305(a) of the Bharatiya Nyaya Sanhita, 2023.

3. It is alleged that the petitioner is involved in theft of several valuable articles from the informant's house, during their absence, when the informant proceeded for treatment to Chennai on 06.07.2024. It is submitted on behalf of the petitioner that the petitioner is innocent.

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

5. I have considered the submissions at the bar with circumspection as well as the length of detention.

6. It appears that the investigation has progressed to some extent. I have considered the submissions on behalf of the petitioner that the petitioner is willing to cooperate with the remaining part of investigation and he is willing to abide by any stringent bail conditions, if imposed upon him.

7. Considering all aspects, the petition is allowed. The petitioner shall be enlarged on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand), with a suitable surety of like amount to the satisfaction of the learned CJM, Kamrup (M) at Guwahati, 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.

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

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

JUDGE

Comparing Assistant