

GAHC010158282024



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

Case No. : Bail Appln./2352/2024

MOFIDUL ISLAM
S/O GIASUDDIN AHMED
R/O VILL- SEDAMARI, SANKARGHOLA,
P.O. BALAPARA, P.S. JOGIGHOPA,
BOITAMARI,
BONGAIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. R J DAS,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

09.08.2024

1. Heard Mr. R. J. Das, learned counsel for the petitioner Mofidul Islam.
2. The petitioner has filed this application under Section 439 of the Cr.PC read

with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as he is behind bars since 20.07.2024 in connection with Umranso Police Station Case No. 10/2024 under Section 406/420/468/471 of the IPC.

3. Heard Ms. N. Das, 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 petitioner that the co-accused had already been enlarged on bail. The petitioner has 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 petitioner that the petitioner is willing to cooperate with the remaining part of the investigation and he is willing to abide by any stringent bail conditions, if imposed upon him. The petitioner is a local resident and he is not a flight risk.

7. In view of my foregoing discussions, 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, Dima Hasao 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 bail conditions, bail order shall stand cancelled.
9. In the above terms, this Bail Application stands disposed of.

JUDGE

Comparing Assistant