

GAHC010159362024



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

Case No. : Bail Appln./2361/2024

JEHERUL ISLAM
S/O LATE ABDUL KADDUS, VILL- KURIHA, P.O.-KAYAKUCHI, P.S.-
BARPETA, DIST- BARPETA, ASSAM, PIN-781352

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A M AHMED, P. GHOSH, B DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 21.08.2024

Heard Mr. A. M. Ahmed, learned counsel for the petitioner. Also heard Mr. D. Das, learned Additional Public Prosecutor for the State of Assam.

2. One application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, whereby the petitioner Jeherul Islam, who was arrested in connection with Tezpur P.S. Case No.453/2024 prays for releasing him on bail.

3. On the Day of occurrence, the informant had withdrawn money from ATM after that, another person named Md. Sahil Ahmed came to the ATM and induced the informant to handover the ATM card to him, when the informant asked for return of his ATM card, Md.

Sahil Ahmed had given him another ATM card. The informant insisted him to return his old ATM card. Sahil Ahmed ran away and got into a Swift Dzire car. He chased him and caught him. On that time, the present petitioner along with another person were sitting inside the vehicle. He fled away with the car after leaving Sahil Ahmed.

4. Subsequently, the present petitioner was arrested by Police from a different place.
5. After considering the submissions made by the learned counsel for both the sides and after considering the materials available in the Case Diary, it appears that there are no sufficient materials against the present petitioner Jeherul Islam to connect with the act of Sahil Ahmed.
6. For that reason the bail application of the petitioner is allowed.
7. It is hereby directed that the petitioner Jeherul Islam, who was arrested in connection with Tezpur P.S. Case No. 453/2024 shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Sonitpur, Tezpur, Assam.
8. The bail application stands disposed of.
9. Case Diary shall be returned.

JUDGE

Comparing Assistant