

GAHC010162092024



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

Case No. : Bail Appln./2409/2024

SHAHIDUL ISLAM @ SHAHEDUL ISLAM
S/O ALIMUDDIN, VILL- KURIHAMARI, P.S.-MUKALMUA, DIST- NALBARI,
ASSAM, PIN-781126

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. N HUSSAIN, MR. J A AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

14.08.2024

1. Heard Mr. J. A. Ahmed, learned counsel for the petitioner Shahidul Islam @ Shahedul Islam.
2. The petitioner has filed this application under Section 483 of the BNSS, 2023 with prayer for bail as he is behind bars since 10.07.2024 in connection

with Geetanagar Police Station Case No. 144/2024 under Section 303(2) of the BNS, 2023.

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

4. The allegation against the petitioner is that he has committed theft of telecom articles from house No. 484 of the informant. The articles are valued at Rs. 7 lacs.

5. The petitioner has approached the jurisdictional Court for bail, but his prayer for bail was rejected.

6. I have considered the length of detention. It appears that investigation may have presumably progressed to a certain extent.

7. I have considered the submissions 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.

8. Considering all aspects, petition is allowed. The petitioner shall be 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 appear before the Investigating Officer every fortnight till completion of the investigation, and

(iii) The petitioner shall not leave the jurisdiction of the Court without prior permission.

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

JUDGE

Comparing Assistant