

GAHC010164932024



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

Case No. : Bail Appln./2417/2024

RANA BARMAN
S/O- HEIDAY BARMAN,
R/O- VILLAGE- MOHISH BATTHAM,
P.S AND P.O-- KAUTUWALI,
DIST- COOCH BIHAR,
WEST BENGAL, PIN-732144

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR B DEORI, MR A KHANIKAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

27.08.2024

Heard Mr A Khanikar, learned counsel for the petitioner, Sri Rana Barman, who has filed this application under Section 483 of the BNSS, 2023, with prayer for bail as he is behind bars since 18.07.2024, in connection with Gohpur PS Case No. 110/2024, under Sections 305/317(2) of the BNS, 2023.

2. Heard Mr B B Gogoi, learned Additional Public Prosecutor for the State of Assam.

3. The learned Additional Public Prosecutor has submitted that there are incriminating materials in the Case Diary against the petitioner. The petitioner is involved in committing theft of a vehicle of KIA Seltos Model.
4. The allegation against the petitioner is that he was found involved in theft of a KIA Seltos Model at NH-37, at night in the area of Milanpur Chariali, near Bandhan Bank.
5. I have also scrutinized the Case Diary.
6. Indeed there are incriminating materials in the Case Diary against the petitioner.
7. I have considered the length of detention.
8. The petitioner has also prayed for bail on the ground of parity as similarly circumstanced accused has been granted bail in connection with Bail Application No. 2386/2024, vide order dated 21.08.2024 of this Court.
9. The petitioner is willing to cooperate with the remaining part of investigation and to abide by any stringent bail conditions, if imposed upon him.
10. The Case Diary also reveals that investigation has progressed to a considerable extent.
11. In view of my foregoing discussions, petition is allowed. The petitioner is enlarged on bail of Rs 30,000/- (Rupees Thirty Thousand Only), with one local surety of the like amount to the satisfaction of the learned SDJM (M), Gohpur, under the conditions that:
 - (i) the petitioner shall refrain from such activities with which he is alleged,
 - ii) the petitioner shall cooperate with the remaining part of investigation, and
 - ii) the petitioner shall not leave the jurisdiction of the Court, without prior

permission.

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

12. Bail Application stands disposed of.

13. Send back the Case Diary.

JUDGE

Comparing Assistant