

GAHC010165262024



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

Case No. : Bail Appln./2443/2024

AMIR HUSSAIN
S/O AINAL HOQUE, P/R/O VILL- NO. 3 BHANDARA, P.S.-MANIKPUR, DIST-
BONGAIGAON, ASSAM

VERSUS

STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR SARFRAZ NAWAZ, SAMIM RAHMAN, MR S A
BARBHUYAN, MS SURAYA RAHMAN, MR A W AMAN, MR. SURAJIT DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 29.08. 2024

1. Heard Mr. S. Nawas, learned counsel for the petitioner, Amir Hussain, who has filed this bail application under Section 483 of BNSS, 2023, with prayer for bail as he is behind bars since 03.06.2024 in connection with Kokrajhar P.S. Case No. 149/2024 under Sections 353/323/224 IPC.

2. The case diary is not received.

3. Also heard Mr. B.B. Gogoi, learned Addl. Public Prosecutor for the State respondent.

4. I have considered the length of detention. Charge sheet has not yet been submitted.

5. I have considered the submission at bar with circumspection. I have also considered the progress of investigation. It appears that further custodial detention may not be required.

6. The petitioner is a local resident and he is willing to cooperate with the remaining part of investigation. The petitioner has pledged to abide by any stringent bail conditions, if imposed upon him.

7. Considering the period of detention, petition is allowed. The petitioner named above shall be enlarged on bail on furnishing a bond of Rs. 30,000/- with a suitable surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kokrajhar in connection with the aforesaid case under the following conditions that:-

(i) the petitioner shall refrain from such activities with which he is alleged and he shall appear before the I.O. on every fortnight till completion of investigation,

(ii) the petitioner shall cooperate with the remaining part of investigation and shall not jump the bail.

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

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

9. Bail application stands disposed.

JUDGE

Comparing Assistant