

GAHC010168472024



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

Case No. : AB/2193/2024

BHASKAR PATGIRI
S/O SRI ROBIN PATGIRI
R/O SATRANG BORBALI
P.O. AND P.S. GOHPUR
DIST. BISWANTH, ASSAM,
PIN-784168

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. L GOGOI,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

06.09.2024

1. Heard Mr. L. Gogoi, learned counsel for the petitioner Bhaskar Patgiri.
2. The petitioner has filed this application under Section 482 of the Bharatiya

Nagarik Suraksha Sanhita, 2023 with prayer for bail as he is apprehending arrest in connection with Gohpur P.S. Case No. 120/2024 under Sections 61(2)/318(4)/305/317(2) of the BNSS.

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

4. The allegation against the petitioner is that he was involved in transportation of liquor meant to be sold in Arunachal Pradesh. It is submitted on behalf of the petitioner that he is the owner of a Bolero Pick-up vehicle bearing registration No. AS-25-CC-5690. It is submitted that the petitioner was not aware that the driver and the handyman of the vehicle were involved in smuggling liquor meant to be sold in Arunachal Pradesh.

5. I have considered the submissions at the Bar. I have scrutinized the Case Diary.

6. It appears that custodial interrogation may not be required. The petitioner has pledged to co-operate with the remaining part of investigation and to abide by any stringent bail conditions, if imposed upon him.

7. Considering all aspects, petition is allowed. Meanwhile, in the event of his arrest, 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 arresting authority 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 within 1 (one) week and co-operate with 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 automatically cancelled.

Send back the Case diary.

JUDGE

Comparing Assistant