

GAHC010169042024



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

Case No. : Bail Appln./2506/2024

SADANANDA PATGIRI AND ANR
S/O LATE HARABINDRA PATGIRI, R/O SATTRANG RAJABARI, P.S. AND P.O.-
GOHPUR, DIST- BISWANATH, ASSAM, PIN-784168

2: BUL KURMI
S/O LATE NAGEN KURMI
R/O SATTRANG RAJABARI
P.S. AND P.O.-GOHPUR
DIST- BISWANATH
ASSAM
PIN-78416

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, 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 petitioners, Namely (i)

Sadananda Patgiri, (ii) Bul Kurmi.

2. The petitioners have filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as they are behind bars since 05.08.2024 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 petitioners is that they were involved in transportation of liquor meant to be sold in Arunachal Pradesh. The petitioners have submitted that they are innocent and they are not complicit of smuggling liquor from a bonded warehouse of Arunachal Pradesh by unscrupulous elements to be sold in the black market.

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

6. I have considered the length of detention. Investigation has progressed to a considerable extent. The petitioners have pledged to co-operate with the remaining part of the investigation and to abide by any stringent bail conditions, if imposed upon them.

7. Considering all aspects, petition is allowed. The petitioners shall be enlarged on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with a suitable surety of like amount to the satisfaction of the learned SDJM,(M), Gohpur under the conditions that:

(i) The petitioners shall refrain from such activities with which they are alleged,

(ii) The petitioners shall co-operate with the remaining part of investigation, and

(iii) The petitioners 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.

9. Send back the Case diary.

10. In terms of the above observation, bail application stands disposed of.

JUDGE

Comparing Assistant