GAHC010171352024

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

Case No. : Bail Appln./2539/2024

AMJED ALI
S/O HACHIM ALI, R/O VILL- KALJAR, P.O.-BARAMA, P.S.-BARAMA, DIST-BAKSA, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR B M DEKA, MR R.AHMED,MS LR KHANAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

28.08.2024

Heard Mr. B M Deka, learned counsel for the petitioner as well as Mr. B Sharma, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita,2023 whereby the petitioner Amjed Ali has been facing trial in PRC Case No. 374/2024 under sections 457/380/401/411/413 IPC pending in the court of the learned Chief Judicial Magistrate, Baksa, Mushalpur.

The chargesheet was filed against the present petitioner under sections 379/401/411/413 IPC.

When the petitioner appeared before the trial court, he was remanded to custody only on the ground that the offence under section 413 of the IPC is punishable for imprisonment for life or imprisonment for 10 (ten) years.

I have considered the submission made by the learned counsel for both sides.

In the light of the materials available in the record, the bail prayer of the petitioner is allowed. Accordingly, it is directed that the petitioner Amjed Ali, who is facing trial in PRC Case No. 374/2024 under sections 457/380/401/411/413 IPC pending in the court of the learned Chief Judicial Magistrate, Baksa, Mushalpur, shall be released on bail of Rs.25,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Baksa, Mushalpur.

The petitioner is directed to cooperate with the trial and to appear before the trial court on each date.

The bail application is disposed of.

JUDGE

Comparing Assistant