

GAHC010173272024



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

Case No. : Bail Appln./2543/2024

SAHIL AHMED
S/O SATTAR ALI AHMED, R/O VILL- KHABLAR BHITA, KAYAKUCHI, P.S.
AND DIST- BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. N J DUTTA, MR A BASUMATARY, MR. M M ZAMAN, MR G P CHETIA, MR N AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

27.08.2024

Heard Mr. N Ahmed, 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 BNSS, 2023 by the petitioner, namely, Sahil Ahmed, who was arrested in connection with Tezpur P.S. Case No. 453/2024 registered under section 309(4) of the BNS, 2023.

On the day of occurrence, the informant was withdrawing money from ATM. After that, one person called Jeherul Islam took the ATM Card of the informant and returned him with one another ATM Card. On seeing that, the informant chased that boy, who was trying to board into a waiting car where two boys were already sitting. The said two boys were managed to escape.

Mr. Sharma has submitted that for consideration of the bail prayer of the petitioner, perusal of the case diary is necessary.

I have considered the submission made by the learned counsel of both sides. This court is of the opinion that the alleged offence was not complete. Therefore, the petitioner aforesaid, who has already spent 26 days in custody, does not deserve to be detained in custody for any further period of time. Hence, the prayer for bail of the petitioner is allowed.

Accordingly, it is directed that the petitioner, namely, Sahil Ahmed, who was arrested in connection with Tezpur P.S. Case No. 453/2024 registered under section 309(4) of the BNS, 2023 shall be released on bail of Rs.20,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Tezpur, Sonitpur.

The bail application is disposed of.

JUDGE

Comparing Assistant