

GAHC010176152024



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

Case No. : Bail Appln./2574/2024

BHASKAR JYOTI CHETIA
S/O LATE DILIP CHETIA,
RESIDENT OF HOUSE NO. 11, B/L 11, BAIKUNTHA PATH, PS PALTAN
BAZAR, DIST KAMRUP M ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR. JITU SAIKIA, M S BAISHYA, MR N MILI, MR. R CHETRI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

09.09.2024

1. Heard Mr. N. Mili, learned counsel for the petitioner Bhaskar Jyoti Chetia.
2. The petitioner has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as he is behind bars since 08.08.2024 in connection with Bhangagarh P.S. Case No. 112/2024 registered

under Section 305(a) of the BNSS.

3. Heard Mr. R. R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State.

4. It is submitted on behalf of the petitioner that although this is a theft case relating to theft of tablets from the store of the GMCH, yet nothing has been recovered from the possession of the petitioner.

5. I have considered the submission that further custodial detention may not be required for the progress of investigation. The petitioner has pledged to co-operate with the investigation and he is willing to abide by any stringent bail conditions if, imposed upon him.

6. Considering all aspects, petition is allowed. 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 Elaka Magistrate 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 every fortnight till completion of investigation, and

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

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

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

JUDGE

Comparing Assistant