

GAHC010178172024



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

Case No. : Bail Appln./2617/2024

ROBIN DAS
S/O FULCHAND DAS, R/O HATIBANDHA, P.S.-ULUANI, DIST- NAGAON,
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR S M ABDULLAH P, MD IMRAN, MD R ISLAM, MS F
HUSSAIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

03.09.2024

1. Heard Mr. S. M. Abdullah P, learned counsel for the petitioner Robin Das.
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 22.08.2024 in connection with Kaliabor P.S. Case No. 75/2024 under Sections

127(2)/115(2)/3(5) of the BNS read with Juvenile Justice Act.

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

4. The allegation against the petitioner is that the informant's son who is only 11 years old has committed theft of money from the handbag of one, Nandini Das, the wife of the petitioner. It is alleged that the petitioner and his wife forcefully took the 11 year old juvenile to the Police station. The juvenile was assaulted by the police personnel in the Police station. This impelled the juvenile's father to lodge this FIR. It is submitted on behalf of the petitioner that his wife is in advanced stage of pregnancy. Apart from the allegation that the petitioner and his wife had taken the juvenile to the Police station, there is no other allegation against the petitioner.

5. I have considered the submissions at the Bar with circumspection. It appears that further custodial detention may not be required for the progress of investigation.

6. 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 learned SDJM, Kaliabor, Nagaon.

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

JUDGE

Comparing Assistant