

GAHC010182352024



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

Case No. : Bail Appln./2687/2024

MOTILAL MANDAL
S/O LATE SITANATH MANDAL, VILL- 1 NO. OUJARI, P.S.-KHETRI, DIST-
KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A M AHMED, P. GHOSH, B DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

01.10.2024

Heard Mr. A M Ahmed, learned counsel for the petitioner and Mr. R J Baruah, learned Additional Public Prosecutor, Assam.

This 2nd application has been filed under Section 483 of the BNSS, 2023 for grant of regular bail, by the petitioner, namely, Sri Motilal Mandal, who was arrested in connection with Khetri P.S. Case No. 111/2024.

The earlier bail application of the petitioner was rejected by this Court after perusal of the case diary.

Mr. Ahmed submits that the petitioner has already completed 77 days in custody and period of detention, already undergone by the petitioner should be taken as ground for releasing him on bail.

On the other hand, Mr. Baruah has submitted that the investigation is sufficiently progressing.

In this case, the allegations brought against the petitioner is that he, along with other persons, belonging to the same family, had committed murder of a person when the deceased came to their house along with his wife.

Mr. Ahmed further submits that the person actually died after a fall in a drunken condition.

I have considered the submissions made by the learned counsel of both sides. Considering the period of detention already undergone by the petitioner, this court is of the opinion that the petitioner does not deserve to be detained in custody for further period of time. Hence, the prayer for bail of the petitioner is allowed.

Accordingly, it is hereby directed that the petitioner, Sri Motilal Mandal, who was arrested in connection with Khetri P.S. Case No. 111/2024, shall be released on bail of Rs.25,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati.

The bail application is disposed of.

Return the Case Diary.

JUDGE

Comparing Assistant