

GAHC010182732024



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

Case No. : Bail Appln./2696/2024

MOFIZUUDIN ALI AND ANR
S/O LATE SAMSER ALI, R/O HONGKONG BASTI, P.O.-KARIKHANA, P.S.-
LANKA, DIST- HOJAI, ASSAM

2: AFJAL ALI
S/O LATE NAUSHAD ALI
R/O NIZ-BORIGOG
P.S.-RANGIA
DIST- KAMRUP
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR S M ABDULLAH P, MD IMRAN,MR. S HAQUE
Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

30.09.2024

Heard Mr. SM Abdullah P, the learned counsel appearing for the petitioners. Also
heard Mr. R.J. Baruah, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 483 of the BNSS, 2023 praying for grant of regular bail to the petitioners, namely- (1) Mofizuddin Ali and (2) Afjal Ali who were arrested on 28.08.2024 in connection with Rangia P.S. Case No.239/2024 under Sections 140(2)/3(5) of the BNS, 2023.

3. One woman has alleged in the FIR dated 27.08.2024, that her husband was kidnapped by some unknown persons. It is also alleged that the kidnappers demanded ₹15,000,00/- lakhs for release of her husband.

4. The kidnappers were arrested immediately and the kidnapped person was also recovered by police.

5. The petitioners have already spent 34 days in judicial custody.

6. I have considered the submissions made by the learned counsel of both sides.

7. This Court is of the opinion that both the petitioners no longer deserve to be detained in judicial custody for any further period of time. Their bail application is allowed.

8. It is hereby directed the petitioners, namely- (1) Mofizuddin Ali and (2) Afjal Ali who were arrested on 28.08.2023 in connection with Rangia P.S. Case No.239/2024 under Sections 140(2)/3(5) of the BNS, 2023, are allowed to go on bail of ₹20,000/- each with sureties of like amount to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Rangia.

The bail application is disposed of accordingly.

The case diary shall be returned.

JUDGE

Comparing Assistant