

GAHC010188032024



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

Case No. : Bail Appln./2745/2024

BIMAL SEN AND ANR
S/O LATE SANTOSH SEN,
RESIDENT OF HOUSE NO. 102, VIVEKANANDA PATH, LAL GANESH
GUWAHATI, PS DISPUR DIST KAMRUPM ASSAM

2: PRANJIT BORA
S/O LATE GOLAP BORA

RESIDENT OF 4TH A.P
2ND GATE
NEAR KALI MANDIR
LUTUMA
GUWAHATI
PS DISPUR DIST KAMRUP M ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : R L CHUTIA, MR. G PHUKAN

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 12.09.2024

Heard Mr. G.Phukan, learned counsel for the petitioners as well as Mr. D.P.Goswami, learned Addl. P.P., Assam for the State respondent.

By filing this petition under Section 483 of the Bharatiya Nagarik Surakshya Sanhita, 2023 the accused-petitioners, namely, **1. Bimal Sen** and **2. Pranjit Bora** have prayed for grant of bail in connection with **Fatasil Ambari P.S. Case No.240/2024** (GR No. 5240/2024) under Sections 318 (4) of BNS r/w Section 14/15 of Assam Game and Betting Act.

The allegation in the FIR relates to illegal activities of gambling.

The learned counsel for the petitioners submits that petitioners are no way connected with the alleged offence. One Ajay Roy is involved with the running of gambling of 'Teer Game' as per FIR in the Fatasil Ambari area and some money along with other items were recovered from his possession. The petitioners have been in judicial custody since their arrest on 06.09.2024 and as such, considering the nature of allegation, petitioners may be enlarged on bail.

The learned Addl.P.P. has made no objection against the prayer of the petitioners.

Having heard the learned counsel for the parties and on perusal of the FIR, Forwarding report and the averments made in this petition, considering the matter in its entirety, this court is of the opinion that further custodial

interrogation of the petitioners in the interest of investigation is not warranted. The prayer for bail is allowed.

Accordingly, it is provided that the petitioners named above shall be released on furnishing bail bond of **Rs. 20,000/-** each with a surety each of like amount to the satisfaction of the learned **CJM, Kamrup (M), Guwahati** subject to the following conditions;-

- (i) The petitioners shall not leave the territorial jurisdiction of learned **CJM, Kamrup (M), Guwahati** without prior written permission from him/her;
- (ii) That the petitioners shall cooperate with the Investigating Officer as and when required;
- (iii) That the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Police Officer or the Court.

Violation of any condition shall tantamount to cancellation of bail.

This disposes of the bail application.

JUDGE

Comparing Assistant