

GAHC010190202024



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

Case No. : Bail Appln./2793/2024

SUJIT ROY
S/O SUNIL ROY
R/O SILAPATHAR PAUL PATTY,
P.S. SILAPATHAR
DIST. DHEMAJI, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
REP BY THE PP, ASSAM

2:GANESH KULI
S/OLATE RUPESWAR KULI
R/O VILL- BARMURIA BOKAJAN
P.S. SILAPATHAR
DIST. DHEMAJI
ASSA

Advocate for the Petitioner : MR. P HAZARIKA, MR. H S BORAH,P. BORAH
Advocate for the Respondent : ,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

15.10.2024

Heard Mr. P. K. Munir, learned counsel appearing for the accused petitioner as well as Mr. K. K. Das, learned Addl. P.P., Assam appearing for the State respondent.

By filing this petition under Section 483 of the BNSS, 2023 the accused-petitioner, namely, **Sujit Roy**, has prayed for grant of bail in connection with **Silapathar P.S. Case No.155/2024** under Sections **75/78/79 Bharatiya Nyaya Sanhita, 2023 read with Section 8 of POCSO Act.**

It is submitted by the learned counsel for the petitioner that though service is not complete in respect of respondent no.2, however, the petitioner has completed the mandatory period of 60 days in judicial custody since his arrest on 17.08.2024. Considering the length of detention, prayer for bail may be considered.

Mr. Das, learned Additional Public Prosecutor has submitted that case diary is received and charge-sheet has not yet been submitted and bail may be granted considering the length of detention.

In view of the submission of learned counsel for both the parties and considering the length of detention, this Court is of the view that further custodial interrogation of the accused-petitioner is not necessary in the interest of investigation of the case.

Accordingly, the petitioner, named above, shall be released on bail, on furnishing bail bond of **Rs.50,000/-** with **one suitable surety** of the like amount, to the satisfaction of learned **Sessions Judge, Dhemaji.**

The direction for bail is further subject to the conditions that the petitioners:

- (a) shall not leave the territorial jurisdiction of learned Sessions Judge, Dhemaji without prior written permission from him/her;
- (b) shall not hamper with the investigation, or tamper with the evidence of the case;
- (c) 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 Court or to any police officer.

In terms of the above, this bail application stands disposed of.
Return the case diary.

JUDGE

Comparing Assistant