

GAHC010193652024



2024:GAU-AS:9916

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

Case No. : Bail Appln./2817/2024

ABDUL HIE
S/O LATE HABIBAR RAHMAN
VILL- MEDHIRTARY, P.O. GAJIA
P.S. BARPETA, DIST. BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. R ALI, MR. MUSTAFA HUSSAIN, MR H A AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

01.10.2024

Heard Mr HRA Choudhury, learned Senior Counsel for the petitioner, Abdul Hie, who has filed this application under Section 483 of the BNSS, 2023, with prayer for bail, as he is behind bars since 08.09.2024, in connection with Abhayapuri PS Case No. 216/2024, corresponding to NGR Case No. 344/2024 under Sections 316(2)/318(2) of the BNS, 2023, read with Section 21(1)/21(2)/21(3) of the Banning of Unregulated Deposit Scheme Act, 2019.

3. Heard Mr M P Goswami, learned Additional Public Prosecutor appearing on behalf of the State of Assam.
4. It is submitted on behalf of the petitioner that it is falsely accused that the petitioner has misappropriated crores of rupees at Abhayapuri through an illegal app, namely, Hedgex, with the help of Asraful Ahmed, Anowar Hussain, Deepak Paul.
5. The learned Additional Public Prosecutor has raised serious objection stating that there are incriminating materials in the Case Diary against the petitioner.
6. I have also scrutinized the Case Diary.
7. There are indeed incriminating materials in the Case Diary against the petitioner.
8. Investigation is still under progress.
9. It appears that investigation may be adversely affected if the petitioner is enlarged on bail, at this stage.
10. Although it is submitted that an organization has lodged the FIR and the aggrieved have not lodged the FIR, yet at this juncture, I am not inclined to grant bail to the petitioner.
11. Petition stands rejected at this stage.
12. Send back the Case Diary.

JUDGE

Comparing Assistant