

GAHC010198052024



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

Case No. : Bail Appln./2902/2024

MD FAKARUDDIN
S/O SAFIQUUL ISLAM @ RAHMAN
R/O VILL- NO. 2 SONAPUR
P.S. BIHPURIA
DIST. LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR S GOGOI, MS G GOGOI, MS A GOGOI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

04-10-2024

Heard Ms. R. R. Borah, learned counsel for the petitioner and Mr. B. Sarma, learned Additional Public Prosecutor, Assam for the State.

2. By this application filed under Section 483 of the BNSS, 2023, the petitioner namely, **Md. Fakaruddin**, has prayed for his bail in Bihpuria P.S.

Case No. 121/2024, corresponding to G.R. No.575/2024 registered under Sections 318(4)/316(2)/308(4)/3(5) of the BNS, wherein, he was arrested on 10.08.2024 and since then, in custody.

3. The petitioner herein is involved with other two accused persons of the case, who were already arrested.

4. Perused the case diary as well as the report of the Investigating Officer of the case placed before the Court today by Mr. B. Sarma, learned Additional Public Prosecutor, Assam.

5. The report of the Investigating Officer of the case as well as the case diary indicate that the present petitioner along with two other accused persons deceitfully extorted money from the informant and shared the said amount of money taken from the informant amongst themselves.

6. Case diary as well as the report of the Investigating Officer dated 30.09.2024 indicates that the investigation of the case is in a nascent stage.

7. Considering the materials in the case diary and the involvement of the petitioner in the alleged crime, this Court is of the view that it is not a fit case to grant bail to petitioner, named above, in said Bihpuria P.S. Case No. 121/2024, at this stage.

8. Accordingly, this bail application of the petitioner stands rejected.

9. Return the case diary.

JUDGE

Comparing Assistant