

GAHC010199712024



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

Case No. : Bail Appln./2920/2024

AYAN DAS
S/O LATE PRABHAT CHANDRA DAS, R/O UTTOR JYOTINAGAR, P.S.-
CHANDMARI, GUWAHATI, DIST- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR H K BARUAH, MR. U J SAIKIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

22.10.2024

Heard Mr. U J Saikia, learned counsel for the petitioner and Mr. R J Baruah, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 483 of the BNSS, 2023 praying for releasing on bail by the petitioner, namely, Sri Ayan Das, who was arrested in connection with Chandmari P.S. Case No. 206/2024.

It is alleged in the FIR that while one Sri Dhiren Kalita was walking home he was stopped by the petitioner and some other persons. They allegedly quarrelled with him and also hit him with a motorcycle. Because of that incident, Sri Dhiren Kalita sustained fracture in his forearm.

The Case Diary reveals that on that day, son-in-law of Sri Dhiren Kalita had caused accident with his motorcycle. In that incident, some people have quarrelled. At that time, Sri Dhiren Kalita went to the place of occurrence to support his son-in-law. At that time, there was a quarrel.

It may be mentioned that Sri Dhiren Kalita is a 75 years old man.

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

The petitioner has already spent 75 days in judicial custody. Therefore, he no longer deserves to be detained in custody. Hence, the bail prayer of the petitioner is allowed.

Accordingly, it is hereby directed that the petitioner, Sri Ayan Das, who was arrested in connection with Chandmari P.S. Case No. 206/2024, shall be released on bail of Rs.20,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati.

The bail application is disposed of.

Return the Case Diary.

JUDGE

Comparing Assistant