

GAHC010201772024



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

Case No. : AB/2606/2024

SANJIB BAISHYA
S/O LAMBUDHAR BAISHYA
R/O MANAHA, P.S. JAGIROAD,
DIST. MARIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR F HAQUE, M ISLAM, MR A ISLAM, MR. S K M ALOMGIR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 06.11.2024

Heard Mr. F. Haque, learned counsel appearing for the petitioner as well as Mr. R. J. Baruah, learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023 in respect of Jalukbari P.S. Case No. 418/2024.

3. The informant/lady has alleged that on 08.08.2024 at about 2.30 PM, she was coming towards Guwahati from Baihata Chariali. She was travelling in a Wagon R car bearing registration No. AS01FS/4556. The car was driven by the petitioner. When the car reached Guwahati, the informant got down and wanted to pay the fare to the petitioner but the petitioner did not accept the fare. Rather, the petitioner snatched away the gold chain worn by the woman and fled away. The petitioner and the informant were known to each other and they had monetary transaction also.
4. Mr. Haque has submitted that on one occasion the informant/lady had borrowed a sum of Rs. 50,000/- from the present petitioner.
5. I have considered the submissions made by the learned counsels of both sides.
6. This Court is of the opinion that at this stage, the present petitioner does not deserve to be detained in custody. Therefore, his pre-arrest bail application is allowed.
7. It is hereby directed that in the event of arrest in connection with Jalukbari P.S. Case No. 418/2024, the petitioner, namely, Sanjib Baishya shall be released on bail of Rs.20,000/- with a surety of like amount to the satisfaction of the arresting authority.
8. The petitioner is directed to appear before the Investigating Officer within next 7 (seven) days from today.
9. With the aforesaid directions, the bail application stands disposed of
CD shall be returned.

JUDGE

Comparing Assistant