

GAHC010202192024



2024:GAU-AS:9768

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

Case No. : Bail Appln./2971/2024

AJAY DAS @ PANIRAM @ AJOY DAS
S/O SRI ANIL DAS, R/O VILL- NAGAYA PAR GAON KURABAHI, BOKAKHAT,
P.O.-CHINAKAN CHARIALI, P.S.-BOKAKHAT, DIST- GOLAGHAT, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. N K KALITA,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 27-09-2024

Heard Mr. N.K. Kalita, learned counsel for the petitioner Sri Ajay Das @ Paniram @ Ajoy Das, who has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as he is behind bars since 11.09.2023 in connection with Jorhat Police Station Case No. 325/2024 (G.R. No. 518/2024) under Section 379 of the Indian Penal Code.

2. The allegation against the petitioner is that he has committed theft of two heads of cattle. It is submitted that the petitioner is the bonafide purchaser of the buffaloes.

3. Heard Mr. R.R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State. Learned Additional Public Prosecutor has raised objection stating that the petitioner is a history sheeter and Case Diary may be called for.

4. I have considered the submissions at the bar with circumspection.

5. It appears that custodial detention may not be required for further progress of investigation as the petitioner is behind bars since 11.09.2023.

6. Considering all aspects, petition is allowed. The petitioner is enlarged on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand) with a suitable surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Jorhat under the conditions that :

(i) the petitioner shall refrain from such activities with which he is alleged.

(ii) the petitioner shall cooperate with the investigation and appear before the Investigating Officer on every fortnight till completion of investigation.

7. On breach of any of the bail conditions, bail order shall automatically stand cancelled.

8. In terms of the above observations, this Bail Application stands disposed of.

JUDGE

Comparing Assistant