

GAHC010202772024



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

**Case No. : Bail Appln./2962/2024**

AMIT BARMAN  
S/O LATE BIRENDRA CH. BARMAN  
R/O BHAKRIBHITA  
P.S. BONGAIGAON,  
DIST. BONGAIGAON, ASSAM

VERSUS

THE STATE OF ASSAM  
REP BY THE PP, ASSAM

**Advocate for the Petitioner** : MR. A CHAUDHURY, MR. D BORA, MR N MUHTARIM, MR. N MAHAJAN, MR. P K DAS

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**  
**HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 26.09.2024**

Heard Mr. A. Chaudhury, learned counsel appearing for the petitioner and Mr.D. Das, learned Additional Public Prosecutor for the state of Assam.

2. This is an application under Section 483 of BNSS, 2023 praying for grant of regular bail to the petitioner, Amit Barman, who was arrested in connection with Bongaigaon P. S. Case No. 296/2024.

3. The District Transport Officer at Bongaigaon had lodged an FIR on 16<sup>th</sup> August, 2024 alleging that his Office Assistant, Babulal Narzary had transferred the registration of a vehicle from Lakshadweep to the office of the DTO, Bongaigaon. According to the District Transport Officer, Babulal Narzary neither took his consent before doing that nor verified the documents properly.

4. Thereafter, Babulal Narzary was arrested and the District Transport Officer was also arrested. The arrest memo regarding arrest of the District Transport Officer was found to be faulty.

5. Therefore, pursuant to the guidelines laid down by the Hon'ble Supreme Court in **Prabir Purkayastha Vs. State (NCT of Delhi)** reported in **2024 SCC Online SC 934**, his bail application was allowed by this Court.

6. The present petitioner Amit Barman has been working as a Computer Assistant in the office of the District Transport Officer. In the same case, he was arrested on 11.09.2024. In this case also, the ratio laid down in **Prabir Purkayastha** (supra) is applicable.

7. Mr. Das, learned Public Prosecutor submits that for consideration of the bail prayer of the petitioner perusal of the case diary is necessary. Mr. Das has prayed for calling of the case diary and has objected to the prayer for bail at this stage.

8. I have considered the submissions made by the learned counsels of both sides.

9. From the documents available in the case record, it is clear that the petitioner being a Computer Assistant might have acted upon the instructions of Babulal Narzary.

10. This Court is of the opinion that the petitioner no longer deserves to be detained in custody. Therefore, his bail application is allowed.

11. Accordingly, the petitioner, Amit Barman shall be released on bail of Rs.20,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Bongaigaon.

The bail application stands disposed of accordingly.

**JUDGE**

**Comparing Assistant**