

GAHC010204412024



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

Case No. : Bail Appln./2980/2024

AMAN KHAN
SON OF NAJIR KHAN RESIDENT OF SANTIPUR RAILWAY GATE NO. 10, P.S
BHARALUMUKH, DISTRICT KAMRUP(M), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. C K NATH, MR. AJAY SARMA, MR. S MUNIR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 27-09-2024

Heard Mr. S. Munir, learned counsel for the petitioner Aman Khan, 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 24.09.2024 in connection with Bharalumukh P.S. Case No.162/2024 registered under Sections 126(2)/117(2)/304(2)/3(5) of the BNSS, 2023.

2. Heard Ms. N. Das, learned Additional Public Prosecutor, Assam for the respondent State.

3. The allegation against the petitioner is that a quarrel took place between the informant and the petitioner relating to blocking of the path by the petitioner. The petitioner assaulted the informant and snatched away of Rs.5,000/-.

4. Ms. N. Das, learned Additional Public Prosecutor has submitted that there are incriminating materials against the petitioner in the case diary and the investigation may be adversely affected, if the petitioner is granted bail.

5. I have scrutinized The Case Diary. However, it appears that further custodial interrogation may not be required.

6. Considering all aspects, I deem it proper to grant bail to the petitioner. The petitioner is enlarged on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand) with a suitable surety of the like amount to the satisfaction of the learned CJM, Kamrup (M), Guwahati under the conditions that :

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

(ii) the petitioner shall appear before the Investigating Officer on every fortnight till completion of investigation,

(iii) the petitioner shall not leave jurisdiction of the Court without prior permission.

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

- 8.** In terms of the above observation, this Bail Application stands disposed of.
- 9.** Send back the Case Diary.

JUDGE

Comparing Assistant