

GAHC010206412024



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

Case No. : Bail Appln./3039/2024

SURESH SINGH AND 4 ORS
S/O LAKHAN SINGH, R/O CHORI PATTY, P.S. AND DIST. KISHANGANJ,
BIHAR

2: RAJ YADAV
S/O ROSELLA YADAV
R/O CHORI PATTY
P.S. AND DIST. KISHANGANJ
BIHAR

3: MUKESH YADAV
S/O LATE NIRU YADAV
R/O CHORI PATTY
P.S. AND DIST. KISHANGANJ
BIHAR

4: ANISH YADAV
S/O JAGGU YADAV
R/O CHORI PATTY
P.S. AND DIST. KISHANGANJ
BIHAR

5: SARBAN SAHA
S/O SURESH SAHA
R/O CHORI PATTY
P.S. AND DIST. KISHANGANJ
BIHA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MRS. R RONGMEI, MS. J GHOSH

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

03.10.2024

1. Heard Mrs. R. Rongmei, learned counsel for the petitioners namely, (i) Suresh Singh, (ii) Raj Yadav, (iii) Mukesh Yadav, (iv) Anish Yadav, and (v) Sarban Saha.
2. The petitioners have filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as they are behind bars since 04.09.2024 in connection with Silchar P.S. Case No. 613/2024 registered under Sections 304(2) of the BNSS.
3. Heard Mr. M. P. Goswami, learned Additional Public Prosecutor, Assam for the respondent State.
4. The allegation against the petitioners is that they have snatched away a bag containing Rs. 20,000/- from the informant.
5. Learned Additional Public Prosecutor has raised serious objection stating that Case Diary is necessary to consider the bail petition of the petitioner. It is also submitted that the petitioners are not local residents and they are from Bihar, and there is every possibility that the petitioners will flee from justice.
6. I have considered the submissions at the Bar. The petitioners have been behind bars since 30 days. It appears that further custodial detention may not

be required for the further progress of investigation.

7. Considering all aspects, petition is allowed. The petitioners shall be enlarged on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with a local surety of like amount to the satisfaction of the learned CJM, Cachar, Silchar under the condition that:

- (i) The petitioners shall refrain from such activities with which they are alleged.

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

8. In terms of the above observation, bail application stands disposed of.

JUDGE

Comparing Assistant