

GAHC010209182024



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

Case No. : Bail Appln./3050/2024

RASHIDUL ISLAM @ ROSIDUL ISLAM
S/O MD. HAJROT ALI
R/O VILL- SOLMARI, P.O. MAGURMARI, P.S. RUPAHIHAT,
DIST. NAGAON, ASSAM, PIN-782140

VERSUS

THE STATE OF ASSAM
THROUGH THE PP, ASSAM

Advocate for the Petitioner : MR. S RAHMAN, MR A N IQBAL

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 04.10.2024

Heard Mr. S. Rahman, learned counsel for the petitioner. Also heard Ms. A. Begum, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying for grant of bail to the accused/petitioner, who has been arrested in connection with Manja P.S. Case No. 01/2024, under Sections 120(B)/489A/ 489B/489C/34 of the Indian Penal Code.

It is submitted by Mr. Rahman, learned counsel for the petitioner, that the earlier bail application of the present petitioner was rejected by this Court vide order dated 18.09.2024, passed in Bail Appln. No. 2519/2024. However, he submitted that the present bail application has been filed praying for enlarging the accused/petitioner on bail only considering the length of detention. He has been in custody since 14.07.2024 and has already completed 82 days in custody and hence, further custodial interrogation may not be required for the purpose of investigation.

In this context, Ms. Begum, learned Additional Public Prosecutor, has submitted that the earlier bail application of the present accused/petitioner was rejected considering the materials available in the Case Diary. However, she submitted that the I.O. may not be in a position to file the Charge-Sheet within

6-7 days.

Considering the submissions made by the learned counsels for both sides, without going by the merit of the case and only considering the length of detention, I am of the view that the I.O. has got ample opportunity to interrogate the accused/ petitioner keeping him in custody and accordingly, further custodial interrogation of the accused/petitioner seems to be not necessary here in this case.

Accordingly, it is provided that on furnishing a bond of Rs. 20,000/- (Rupees twenty thousand) only with 2 (two) sureties of like amount to the satisfaction of the learned Chief Judicial Magistrate, Karbi Anglong, the accused/petitioner, namely, Rashidul Islam @ Rosidul Islam, be enlarged on bail, subject to the following conditions:

- (i) that the petitioner shall make himself available for interrogation by the Investigating Officer as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and
- (iii) that the petitioner shall not leave the jurisdiction of the learned

Chief Judicial Magistrate, Karbi Anglong, without prior permission.

In terms of above, this bail application stands disposed of.

JUDGE

Comparing Assistant