

GAHC010210612024



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

**Case No. : Bail Appln./3113/2024**

SAMSUL ALOM LASKAR @ TUKON MIA LASKAR  
S/O LATE AZIR UDDIN LASKAR, R/O HAILAKANDI TOWN WARD NO. 8,  
LAXMISAHAR, P.S. AND DIST- HAILAKANDI (ASSAM)

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner** : MR. A H M R CHOUDHURY,

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

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

**ORDER**

**21.10.2024**

1. Heard Mr. A. H. M. R. Choudhury, learned counsel for the petitioner Samsul Alom Laskar @ Tukon Mia Laskar.
2. The petitioner 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 Hailakandi P.S. Case No. 159/2024 registered under Sections 141/448/294/324/325/425/380 of the IPC.

3. Heard Ms. N. Das, learned Additional Public Prosecutor, Assam for the respondent State. Learned Additional Public Prosecutor has raised objection.

4. The FIR unfolds that in the morning of 30.06.2024, while the informant was erecting a fence around the boundary of his land, the accused persons named in the FIR trespassed into the informant's land and assaulted the informant and his elder brother with weapons causing fracture on the informant's left hand. Thereafter, the accused persons named in the FIR assaulted the victim. When he raised alarm, the victim came out from the house but the accused named in the FIR dragged her inside the room and outraged her modesty and also snatched away gold ornaments and cash of RS. 50,000/-, and destroyed the roof, wall and doors of the house. It is submitted on behalf of the petitioner that there is a land dispute prevailing between both the parties.

5. The petitioner has prayed for bail on the ground of parity as the prime accused Taj Uddin Laskar has been enlarged on bail by this Court vide Order dated 01.10.2024 in connection with Bail.Appln. No. 2997/2024. The petitioner is the accused No. 3 named in the FIR.

6. I have considered the submission that no overt act has been attributed against the petitioner in the FIR. I have considered the length of detention.

7. Considering all aspects, petition is allowed. The petitioner shall be 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 CJM, Hailakandi, under the conditions that:

(i) The petitioner shall refrain from such

activities with which he is alleged,

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

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

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**