

GAHC010215832024



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

Case No. : Bail Appln./3158/2024

MANTU ALI
S/O GOLAM HUSSAIN, R/O GARIGAON, P.S.-JALUKBARI, DIST- KAMRUP
(M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

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

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

06.11.2024

Heard Mr. S Munir, learned counsel for the petitioner and Mr. M P Goswami, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 483 of the BNSS, 2023 by the petitioner, namely, Mantu Ali, praying for release on bail, who was arrested in connection with Jalukbari P.S. Case No. 371/2024.

An FIR was lodged before Police stating that on 02.08.2024 while the informant was travelling in a bus bearing Registration No. AS-20-2471, eight nos. of unknown boys looted a cash amount of Rs.70,000/- from him. The informant has alleged that the Conductor of the Bus never charged any fare from those boys. Therefore, the informant suspected that the Conductor and the Driver of the said bus were also involved in the said incident.

Mr. Munir has pointed out to the Police Forwarding Report and stated that the present petitioner and two other persons were arrested after they were caught red handed while they were trying to pick pocket in a bus bearing Registration No. AS-20-2542.

Mr. Munir submits that if the petitioner and two other persons were caught red handed, then how the present petitioner can be arrested by Police in this case.

I have considered the submissions made by the learned counsel of both sides. Under the given circumstances of the case and considering the submission made by the learned counsel of both sides and the period of detention already undergone by the petitioner, this court is of the opinion that the petitioner does not deserve to be detained in custody for further period of time. Therefore, the bail application is allowed.

Accordingly, it is directed that the petitioner Mantu Ali, who was arrested in connection with Jalukbari P.S. Case No. 371/2024, shall be released on bail of Rs.25,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati.

The bail application is disposed of.

Case Diary shall be returned.

JUDGE

Comparing Assistant