

GAHC010217532024



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

Case No. : Bail Appln./3193/2024

AKRAMUL HUSSAIN @ AKRAMUL HOQUE
S/O ANOWAR HUSSAIN
VILL- BILASHPUR,
P.O. BILASHPUR,
P.S. KAJALGAON,
DIST. CHIRANG, ASSAM
PIN-783385

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. S AHMED, MS N AKTAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

21.10.2024

1. Heard Mr. S. Ahmed, learned counsel for the petitioner Akramul Hussain @ Akramul Hoque.

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 02.09.2024 in connection with Manikpur P.S. Case No. 121/2024 registered under Sections 304 with added Sections of 61(2)/112(2)/125(2) of the BNS.
3. Heard Ms. N. Das, learned Additional Public Prosecutor, Assam for the respondent State.
4. The allegation against the petitioner is that he is involved in snatching of mobile phone from the informant while she was on the National Highway travelling from Bongaigaon to Bijni. It is submitted on behalf of the petitioner that the petitioner is not involved in this case. He has been forwarded merely on suspicion.
5. I have considered the submissions at the Bar that the petitioner has been behind bars since 02.09.2024.
6. It appears that further custodial detention may not be required for further progress of investigation. Investigation may have presumably progressed to a considerable extent by now. The petitioner is a local resident and he is not a flight risk. The petitioner has pledged to co-operate with the remaining part of investigation.
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, Bongaigaon, 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.

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

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

JUDGE

Comparing Assistant