

GAHC010219322024



2024:GAU-AS:11176

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

Case No. : Bail Appln./3213/2024

ANSER UDDIN @ ANSAR UDDIN @ AUNSHAR UDDIN,
S/O LATE NUR UDDIN, RESIDENT OF PURAN BIJNI, PO AND PS BIJNI,
DISTRICT- CHIRANG, ASSAM, PIN NO.783390

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M R SODIAL, MR B HAZARIKA,MR I UDDIN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

18.11.2024

1. Heard Mr. B. Hazarika, learned counsel for the petitioner Anser Uddin @ Ansar Uddin @ Aunshar Uddin.
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

22.09.2024 in connection with Bongaigaon P.S. Case No. 325/2024 under Sections 331(4)/305(a)/317(4) of the BNS.

3. Heard Mr. R. R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State.

4. Learned Additional Public Prosecutor has raised objection stating that there are incriminating materials in the Case Diary against the petitioner.

5. The allegation against the petitioner is that he has committed theft of a trunk from the informant's house. The petitioner along with his companion are involved in committing theft and selling of stolen articles regularly.

6. I have scrutinized the Case Diary. Indeed there are incriminating materials in the Case Diary against the petitioner.

7. However, I have considered the submission that the petitioner is willing to co-operate with the remaining part of investigation and he is willing to abide by any stringent bail conditions, if imposed upon him.

8. In view of my foregoing discussions, 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 Jurisdictional Court under the conditions that:

(i) The petitioner shall co-operate with the remaining part of investigation,

(ii) The petitioner shall refrain from such activities with which he is alleged,

(iii) The petitioner shall appear before the Investigating Officer on every fortnight till completion of

investigation, and

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

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

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

11. Send back the Case Diary.

JUDGE

Comparing Assistant