

GAHC010221572024



undefined

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

Case No. : Bail Appln./3247/2024

ABU TAHER
S/O LATE CHAND MIYA
VILL- UROLKATA,
P.S. MOIRABARI,
DIST. MORIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR B P BORAH, MR. A KHANDAKAR, MR P J DUTTA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 03.12.2024

Heard Mr. B.P. Borah, learned counsel appearing for the petitioner as well as Mr. D. Das, learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application u/s 483 of the BNSS, 2023, whereby the petitioner, namely, Abu Taher has prayed to release him on bail, after he was arrested in connection with Raha P.S.

Case No. 11/2024.

3. On 31.01.2024, some miscreants stopped a truck bearing registration No. AS-01-MC-7566 in the National Highway. Those miscreants took away the entire consignment. The present petitioner was arrested on the basis of some disclosure statements made by some other persons.

4. Mr. Borah submits that the petitioner is a 69 year old person and he has already spent 77 days in judicial custody. Mr. Borah submits that the aforesaid two points needs to be considered by this Court at this stage.

5. After hearing the learned counsels of both sides, this Court is of the opinion that the aforesaid two points deserves to be considered by this Court at this stage.

6. Therefore, considering the period of detention already undergone by the petitioner in custody and also considering the fact that he is a 69 year old person, his bail application is allowed

7. The petitioner, namely, Abu Taher, who was arrested in connection with Raha P.S. Case No. 11/2024 shall be released on bail of Rs. 20,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Nagaon.

8. The bail application stands disposed of accordingly.

JUDGE

Comparing Assistant