

GAHC010222792024



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

Case No. : Bail Appln./3270/2024

DIGANTA KALITA
S/O LATE ANIL KALITA
R/O FOREST GATE, NARENGI
P.S. NOONMATI
DIST. KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M MALAKAR, MR. R KONWAR, MS B KOUSHIK, MR H ALI, MR. U K BARMAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 06.11.2024

Heard Mr. H. Ali, learned counsel appearing for the petitioner as well as Mr. R. J. Baruah, learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 483 of the BNSS, 2023, whereby the petitioner

Diganta Kalita has prayed for releasing him on bail, after he was arrested in connection with Nagaon P.S. Case No. 888/2024.

3. The informant has invested Rs. 1.5 crore in a company, namely, E Corp. Solution Ltd., where the petitioner worked as an employee. In order to facilitate investment of Rs.1.5 crore by the informant, the petitioner and the informant had executed some documents, where both sides had put their signatures. After that, the said company dis-appeared. Therefore, the informant lodged the FIR before police.

4. Mr. Ali has submitted that the petitioner has already spent 54 days in judicial custody. According to Mr. Ali, the period of detention of the petitioner already undergone by him in custody should be taken as the ground for releasing him on bail.

5. I have considered the submissions made by the learned counsels of both sides.

6. The petitioner being the employee of the said company had put the signatures in documents after which the informant invested Rs.1.5 crore. Therefore, the petitioner was a part of the offence that was done by some other persons. Therefore, this Court does not find any ground for releasing the petitioner on bail.

7. The bail application stands rejected and disposed of accordingly.

CD shall be returned.

JUDGE

Comparing Assistant