

GAHC010229722024



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

Case No. : Bail Appln./3375/2024

BIKASH KUMAR GUPTA @ VIKASH KUMAR
S/O SRI SATAN SAH @ SATAN PRASAD GUPTA,
R/O BASISTHA CHARIALI,
OPPOSITE PRABHA DEVI GUPTA ME SCHOOL, P.O. AND P.S. BASISTHA,
DIST. KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. U DUTTA, MR. B. KUMAR

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

07.11.2024

Heard the learned counsel Mr. U. Dutta appearing for the petitioner. Also heard Mr. M.P. Goswami, learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 483 of the BNSS, 2023 whereby the petitioner Bikash Kumar Gupta @ Vikash Kumar prayed for releasing him on bail after he was arrested in connection with Dhemaaji P.S. Case No.177/2024 under Sections 331(3)/305 of the BNS, 2023.
3. On 24.09.2024, while the informant and his family members were absent in the house, thieves stolen one gold chain, one gold ring, two sets of gold earrings and one gold bangle along with some expensive cloths and a cash amount of ₹7,000/-.
4. The petitioner is a jeweller by profession. He runs a jewellery shop.
5. Police seized some gold ornaments from his possession. Police suspected that those gold ornaments are stolen property.
6. The petitioner submits that he did not know that the gold ornaments were stolen and with a *bona fide* state of mind, he purchased the gold ornaments.
7. I have considered the submissions made by the learned counsel of both sides.
8. The petitioner has already completed 21 days in judicial custody.
9. This Court is of the opinion that under the given facts and circumstances of the case, the present petitioner no longer deserves to be detained in custody. Therefore, his bail application is allowed.
10. The petitioner Bikash Kumar Gupta @ Vikash Kumar who was arrested in connection with Dhemaaji P.S. Case No.177/2024 under Sections 331(3)/305 of the BNS, 2023, shall be released on bail of ₹20,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Dhemaaji, Assam.

The bail application is disposed of.

JUDGE

Comparing Assistant