

GAHC010230842024



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

Case No. : Bail Appln./3389/2024

PRANJAL BHARALI
S/O SRI PRABHAT BHARALI, VILL- GOPALPUR, P.O.-ELLENGI SATRA, P.S.-
GOHPUR, DIST- BISWANATH, PIN-784168, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR P NEOG, MS. D PATHAK

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 20.11. 2024

1. Heard Mr. P. Nego, learned counsel for the petitioner, **Sri Pranjal Bharali**, who has filed this bail application under Section 483 of BNSS, 2023, with prayer for granting bail as he is behind bars since 01.10.2024 for last 40 days in connection with Gohpur P.S. Case No. 139/2024 under Section 309 (4) of BNS, 2023.

2. Also heard Mr. K.K. Das, learned Addl. Public Prosecutor for the State respondent.
3. The allegation against the petitioner is that he is involved with offence of forcefully collecting money from the informant. It is also alleged that the petitioner was earlier involved with similar types of extortion or robbery in other cases.
4. It is submitted on behalf of the petitioner that the petitioner is not named as accused in the FIR, and he was arrested purely on suspicion.
5. Learned Addl. P.P. has raised objection against the prayer for bail as there are incriminating materials in the case diary against the petitioner.
6. I have considered the submissions at the bar with circumspection.
7. I have also considered the length of detention and the progress of investigation.
8. I have scrutinized the case diary. From perusal of the case diary, this court is of the view that further custodial detention may not be required for the purpose investigation. I have considered the submission that the petitioner will abide by any stringent bail condition, if imposed on him and he will co-operate with the investigation. The investigation has progressed to a considerable extent.
9. Considering the matter in its entirety, petition is allowed.
10. In view of the above and considering the length of detention, the petitioner named above shall be enlarged on bail on furnishing a bond of Rs. 50,000/- with a suitable surety of like amount to the satisfaction of the learned, SDJM (M), Gohpur in connection with the aforesaid case under the following

conditions that:-

- (1) the petitioner shall refrain from such activities with which he is alleged,
- (2) the petitioner shall not exercise threats and try to influence any witnesses in connection with the case and shall appear before the I.O. in every fortnight,
- (3) the petitioner shall not leave the jurisdiction of the Court without prior permission from the Court.

11. On breach of any of the bail conditions, the trial court shall be at liberty to immediately cancel the bail granted to the petitioner.

12. Bail application stands disposed.

13. Return the case diary.

JUDGE

Comparing Assistant