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

Case No. : Bail Appln./3477/2024

NABINDRA BORO
S/O SUBASH BORO
R/O CHOPAIDUNG
NEAR LAKHI MANDIR
P.S. PRAGJYOTISHPUR
DIST. KAMURP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR J PAYENG, MS. SUSMITA DOLEY,MS A PAYENG,MR G TAKU

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 06.12.2024

Heard Mr. J. Payeng, learned counsel appearing for the petitioner as well as Mr. RR Kaushik, learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application u/s 439 of the Cr.P.C., whereby the petitioner, namely, Shri

Nabindra Boro has prayed for releasing him on bail, after he was arrested in connection with Sessions Case No. 114/2024 arising out of Pragjyotishpur P.S. Case No. 57/2024.

3. The prosecution case against the petitioner is that on the day of occurrence, he had illegally entered into the house of the informant and cut down the electricity connection of the house of the informant and also assaulted her 17 year old daughter. It is alleged that the petitioner pressed the neck of the girl, for which, she sustained injuries.

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

5. The petitioner has been in custody for last 7 months. No witness from the prosecution side have been examined as yet.

6. This Court is of the opinion that at this stage, the period of detention already undergone by the petitioner deserves to be taken as a ground for releasing him on bail. Therefore, the bail application is allowed.

7. The petitioner, Shri Nabindra Boro, who was arrested in connection with Sessions Case No. 114/2024 pending in the court of the learned Additional Sessions Judge, (FTC) No. 4, Kamrup (Metro), Guwahatishall be released on bail of Rs. 25,000/- with a surety of like amount to the satisfaction of the learned Sessions Judge, Kamrup (Metro) at Guwahati.

8. The bail application stands disposed of accordingly.

The CD shall be returned

JUDGE

Comparing Assistant