

GAHC010246332024



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

Case No. : Bail Appln./3576/2024

RUPAM CHARENGIA AND ANR.
S/O SRI JITEN CHARENGIA
VILL-JARONI GAON, P.O. DUBIA
P.S. GOHPUR,
DIST. BISWANATH, ASSAM, PIN-784178

2: SUNENDRA NEOG @ SURENDRA NEOG
S/O LATE RAJU NEOG

VILL MIKIR BORACHUK
P.O. MIKIR BORACHUK
P.S. GOHPUR

DIST. BISWANATH
ASSAM
PIN- 78417

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M K HUSSAIN, MR. M ALOM, MS. F H AHMED, MRS. S Y AHMED

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

10.12.2024

Heard Mr. M.K. Husain, the learned counsel appearing for the petitioners. Also heard Mr. K.K. Das, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 483 of the BNSS, 2023 whereby the petitioners Sri Rupam Charengia and Sri Sunendra Neog @ Surendra Neog have prayed for releasing them on bail after they were arrested in connection with Gohpur P.S. Case No.139/2024 under Section 309(4) of the BNS, 2023.

3. On 28.09.2024, these petitioners allegedly stopped a truck bearing Registration No. AS-01-PC-5741 in the National Highway when it was traveling from Nagaon to Silapathar. The petitioners allegedly demanded money from the driver and accordingly took away a cash amount of ₹2,500/-. It is further alleged that on an earlier occasion also, some people travelling in a vehicle without any registration number have taken ₹1,000/- from the driver of the aforesaid vehicle.

4. Earlier, the bail application of the petitioners was rejected by this Court after perusal of the case diary.

5. The learned counsel for the petitioners submitted that the petitioners have already spent 71 days in judicial custody. The petitioners have prayed that their period of detention already undergone deserve to be taken as a ground for releasing them on bail.

6. I have considered the submissions made by the learned counsel of both sides.

7. This Court is of the opinion that considering the period of detention already undergone by them, the bail application of the petitioners is allowed.

8. The petitioners, namely- Sri Rupam Charengia and Sri Sunendra Neog @ Surendra Neog who were arrested in connection with Gohpur P.S. Case No.139/2024 under Section 309(4) of the BNS, 2023, shall be released on bail of ₹20,000/- with sureties of like amount to the satisfaction of the learned Sub-Divisional Judicial Magistrate (M), Gohpur.

With the above direction, the bail application is disposed of.

JUDGE

Comparing Assistant