

GAHC010251102024



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

Case No. : Bail Appln./3607/2024

HIMANGSHU BAISHYA @ HIMASHU BAISHYA
S/O JUGENDRA BAISHYA
R/O JATIA, KAHILIPARA, NEAR SBI BRANCH, P.S. DISPUR, GUWAHATI
DIST. KAMRUP (METRO), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A CHAUDHURY, MR. D BORA, MR. N MAHAJAN, MR. P K DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

12.12.2024

Heard Mr. A. Choudhury, learned counsel appearing for the petitioner. Also heard Mr. D. Das, learned Additional Public Prosecutor, Assam appearing for the State.

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

Himangshu Baishya prays for releasing him on bail after he was arrested in connection with Dispur P.S. Case No.1242/2024 on 18.11.2024.

On 18.11.2024 at about 6:00 a.m. the victim Bishal Chetri had committed theft of a packet of milk from a shop owned by Jayanta Talukdar. In that incident Bishal Chetri was badly beaten up by many people. In his statement under Section 164 Cr.P.C. Bishal Chetri has stated that the present petitioner and Jayanta Talukdar were involved in the aforesaid incident. One newspaper reporter stated before the police that the present petitioner has used some lethal object to cause harm to Bishal Chetri.

I have considered the submissions made by the learned counsel for both the sides. The petitioner has already spent 25 days in judicial custody.

This Court is of the opinion that the petitioner is no longer required to be detained in custody. Therefore, the prayer for releasing him on bail is allowed.

The petitioner Himangshu Baishya, who was arrested in connection with Dispur P.S. Case No.1242/2024, shall be released on bail on furnishing a bond of Rs.25,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati.

The Bail Application stands disposed of.

JUDGE

Comparing Assistant