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

Case No. : Bail Appln./3653/2024

JAYANTA TALUKDAR
S/O MOHENDRA TALUKDAR
R/O JATIYA MANDAKINI PATH
HOUSE NO. 51, P.S. DISPUR, DIST. KAMRUP (M), ASSAM
PIN-781006
VERSUS
THE STATE OF ASSAM
REPRESENTED BY THE PP, GOVT. OF ASSAM

Advocate for the Petitioner : MR. J KALITA, MS. M R DOLAI, MR N SARMA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 18.12.2024

- 1.** Heard Mr. J. Kalita, learned counsel for the petitioner. Also heard Mr. D. P. Goswami, learned Additional Public prosecutor for the State of Assam.
- 2.** This is an application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, whereby the petitioner Jayanta Talukdar has prayed for releasing him on bail after he was arrested in connection with Dispur Police Station Case No.1242/2024.
- 3.** The petitioner is the owner of the shop, on 18.11.2024 the father Bishal Chetry

had lodged an FIR before the Police alleging that on that day at about 6 a.m. the accused petitioner and some other persons assaulted his son badly. According to the informant, the victim Bishal Chettry sustained grievous injury.

5. The learned counsel for the petitioner submits that on that day Bishal Chetri attempted to commit theft of a pack of Milk.

6. The learned Additional Public Prosecutor has submitted that the petitioner allegedly assaulted Bishal Chetri with a stick.

7. The learned counsel for the petitioner submits that petitioner has already completed 30 days in judicial custody and his period of detention deserves to be taken under the ground for releasing him on bail.

8. I have considered the submissions made by learned counsel for both the sides.

9. Under the given circumstances, this Court is of the opinion that the period of detention already undergone by the petitioner in custody deserves to be taken under the ground to releasing him on bail.

9. This Court is of the opinion that under the given circumstances the petitioner does not deserve to be detained in custody.

10. Therefore, the bail application is allowed.

11. It is hereby directed that in the event of arrest in connection with Dispur Police Station Case No.1242/2024 the petitioner Jayanta Talukdar shall be released on bail of Rs.20,000/- with a surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (Metro), Guwahati, Assam.

12. Case Diary shall be returned.

13. The bail application stands disposed of.

JUDGE

Comparing Assistant