

GAHC010257402024



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

Case No. : Bail Appln./3686/2024

AMIRUL ISLAM AND ANR
S/O MAHAMMAD ALIMUDDIN
R/O VILL- 1 NO. GAYANGAON
P.S. DHING, DIST. NAGAON, ASSAM.

2: MUSTAFIZUR RAHMAN
S/O MAZIBUR RAHMAN
R/O VILL- HATIMURIA
P.S. MOIRABARI
DIST. MARIGAON
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A ALI, MR. Y ALI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 13.12.2024

Heard Mr. NJ Dutta, learned counsel appearing for the petitioners. Also heard Mr. D. Das, learned Additional Public Prosecutor for the state of Assam.

2. This an application u/s 483 of the BNSS, 2023, whereby the petitioners, 1. Amirul Islam

& 2. Mustafizur Rahman have prayed for releasing them on bail, after they were arrested in connection with Sonapur P.S. Case No. 204/2024.

3. The informant has alleged in the FIR that on 15.10.2024, some miscreants trespassed into his house in his absence and had stolen gold ornaments from his house. Police also recovered some mobile phones and one Bolero car from the possession of the petitioners. Police also recovered gold and silver ornaments from another person.

4. Mr. Dutta submits that the petitioners have already spent 41 days in custody. According to Mr. Dutta, all the gold and silver ornaments have been recovered.

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

6. Considering the period of detention undergone by the petitioners in custody, their bail application is allowed.

7. It is hereby directed that the petitioners, 1. Amirul Islam & 2. Mustafizur Rahman, who were arrested in connection with Sonapur P.S. Case No. 204/2024, shall be released on bail of Rs. 20,000/- each with sureties of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (Metro), Guwahati.

8. The bail application stands disposed of.

JUDGE

Comparing Assistant