

GAHC010258262024



2024:GAU-AS:12414

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

Case No. : Bail Appln./3730/2024

GOBINDA BHUMIJ
S/O KAKOTI BHUMIJ
R/O BARUARI, P.S. SONAPUR
DIST. KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MS. A. MEDHI,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

09.12.2024

Heard Ms. A. Medhi, learned counsel for the petitioner, namely,
Gobinda Bhumij.

2. The petitioner has filed this application under Section 483 of the

Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as he is behind bars since 13.09.2024 in connection with Sonapur P.S. Case No.192/2024 under Sections 117(2)/109 of the BNS.

3. Heard Mr. R. R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State.

4. I have considered the submission at the Bar. It is submitted that the petitioner is behind bars for 87 days. Charge sheet is not yet submitted.

5. The allegation against the petitioner is that on 12.09.2024 at about 9:00 PM, the petitioner came to the informant's house armed with a wooden 'Battam' (plank) and assaulted his father with the intent to kill him and caused grievous hurt on his person.

6. It appears that investigation may have presumably progressed substantially. It appears that further custodial detention of the petitioner may not be required. The petitioner has pledged to cooperate with the remaining part of the investigation and to abide by any stringent bail conditions, if imposed upon him.

7. In view of my foregoing discussion, petition is allowed. The petitioner is enlarged on bail of Rs.30,000/- (Rupees thirty thousand) only with a suitable surety of like amount to the satisfaction of the Chief Judicial Magistrate, Kamrup (M) under the conditions that :

(i) The petitioner shall refrain from such activities with which he is alleged,

(ii) The petitioner shall appear before the Investigating Officer on every fortnight and cooperate with the investigation, and

(iii) The petitioner shall not leave the jurisdiction of the Court without prior permission.

8. On breach of any of the bail conditions, the Jurisdictional Court/Eleka Magistrate is at liberty to cancel the bail granted to the petitioner.

9. In terms of the above observation, the instant bail application stands disposed of.

JUDGE

Comparing Assistant