

GAHC010267072024



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

Case No. : Bail Appln./3826/2024

SATIS GOWALA @ SATISH SINGH
S/O LATE BULU GOWALA,.
RESIDENT OF
JANJIPARA, FATAPUKUR, PS RAJGANJ, DIST JALPAIGURI, WEST BENGAL

2: MANJIT GOWALA
S/O LATE AJIT GOWALA
RESIDENT OF
JANJIPARA
FATAPUKUR
PS RAJGANJ
DIST JALPAIGURI
WEST BENGAL

3: KUNIA GOWALA @ KUNAL
S/O LATE PREM GOWALA

RESIDENT OF
JANJIPARA
FATAPUKUR
PS RAJGANJ
DIST JALPAIGURI
WEST BENGAL

4: KUBER GOWALA
S/O SANJIT GOWALA

.
RESIDENT OF
JANJIPARA
FATAPUKUR
PS RAJGANJ
DIST JALPAIGURI
WEST BENGAL

5: BIKASH GOWALA
S/O LATE KARAN GOWALA

RESIDENT OF
JANJIPARA
FATAPUKUR
PS RAJGANJ
DIST JALPAIGURI
WEST BENGAL

6: RAM GOWALA
S/O LATE BIDESHI GOWALA

RESIDENT OF
JANJIPARA
FATAPUKUR
PS RAJGANJ
DIST JALPAIGURI
WEST BENGAL

7: KALLU GOWALA @ ANIL
S/O LATE PREM GOWALA

RESIDENT OF
JANJIPARA
FATAPUKUR
PS RAJGANJ
DIST JALPAIGURI
WEST BENGAL

8: KAWAR GOWALA

S/O JABBA GOWALA

RESIDENT OF
JANJIPARA
FATAPUKUR
PS RAJGANJ
DIST JALPAIGURI
WEST BENGAL

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. C K NATH, MR. AJAY SARMA, MR. S MUNIR

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

13.12.2024

Heard Mr. S. Munir, the learned counsel appearing for the petitioners. Also heard Mr. D. Das, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 483 of the BNSS, 2023 praying for grant of regular bail to the petitioners, namely- (1) Satis Gowala @ Satish Singh, (2) Manjit Gowala, (3) Kunia Gowala @ Kunal, (4) Kuber Gowala, (5) Bikash Gowala, (6) Ram Gowala, (7) Kallu Gowala @ Anil and (8) Kavar Gowala who are facing trial in Sessions Case No.248/2024.

3. It has been submitted that all the above-named petitioners were arrested on 01.08.2024. Now, four months have elapsed and no witnesses are examined till date. According to Munir, the long incarceration without trial deserves to be taken as a ground for releasing the present petitioners on bail.

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

5. It is a case of robbery of ₹9,50,000/-.

6. This Court is of the opinion that the long incarceration without trial deserves to be taken as a ground for releasing the present petitioners on bail. Therefore, their bail application is allowed.

7. The petitioners, namely- (1) Satis Gowala @ Satish Singh, (2) Manjit Gowala, (3)

Kunia Gowala @ Kunal, (4) Kuber Gowala, (5) Bikash Gowala, (6) Ram Gowala, (7) Kallu Gowala @ Anil and (8) Kavar Gowala who are facing trial in Sessions Case No.248/2024, shall be released on bail of ₹25,000/- each with sureties of like amount to the satisfaction of the learned Sessions Judge, Barpeta.

8. All the aforementioned petitioners shall regularly appear before the trial court. If they do not appear without showing any satisfactory reason(s), the trial court shall have the liberty to procure their attendance as per law.

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

JUDGE

Comparing Assistant