

GAHC010272212023



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

Case No. : Bail Appln./4435/2023

NAZIM UDDIN
S/O LATE NUCHUBUR RAHMAN
R/O VIL- BRAHMANSWASAN (GHANSAMAR CHAK), P.S. NILAMBAZAR,
DIST. KARIMGANJ, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR H R CHOUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 04.01.2024

Heard Mr. H.R. Choudhury, learned counsel for the petitioner and Mr. B.B. Gogoi, learned Addl. Public Prosecutor for the State respondent.

This is an application under Section 439 Cr.P.C., filed by the petitioner, namely **Nazim Uddin**, seeking bail, who was arrested on 21.08.2023 in connection with Sessions Case No. 95/2023 (arising out of Nilambazar P.S. Case

No. 45/2014) under Sections 457/ 376/ 323/ 34 IPC, pending in the Court of the learned Sessions Judge, Karimganj.

It is submitted by the learned counsel for the petitioner that after submission of charge sheet, the warrant of arrest was issued against the petitioner and the petitioner had voluntarily surrendered before the trial Court on 21.08.2023 and he was forwarded to the jail hajot. Since then he has been languishing in judicial custody. Considering the period of detention, he may be enlarged on bail. It is also submitted that the co-accused was enlarged on bail.

The learned Addl. PP has submitted that as the charge has been framed, considering the period of detention, prayer for bail of the petitioner may be considered.

I have perused the LCR.

In view of the above and considering the period of detention, prayer for bail is allowed.

Accordingly, it is directed that the accused/ petitioner above named, be released on bail in connection with Sessions Case No. 95/2023 (arising out of Nilambazar P.S. Case No. 45/2014) under Sections 457/ 376/ 323/ 34 IPC on furnishing a bond of Rs. 50,000/- (Rupees fifty thousand) with 2 (two) suitable sureties of like amount to the satisfaction of the learned Sessions Judge, Karimganj.

The direction for bail is further subject to the conditions that the accused-petitioner:

- (a) shall not leave the territorial jurisdiction of the learned Sessions Judge, Karimganj, without prior written permission from

him/ her; and

(b) shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court.

In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant