

GAHC010280642023



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

Case No. : Bail Appln./4529/2023

UJJAL DEKA
BHABEN DEKA, R/O- H NO-9, SAMANNAY PATH POPULAR MARKET,
NALAPARA P.S- BASISTH, DIST- KAMRUP (M), ASSAM.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY P.P. ASSAM.

Advocate for the Petitioner : MR D SAIKIA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 11.01.2024

- 1)** Heard Mr. D. Saikia, learned counsel for the petitioner. Also heard Mr. R. R. Kaushik, learned Additional Public Prosecutor for the State respondent.
- 2)** This application under Section 439 of the Code of Criminal Procedure, 1973 has been filed by the petitioner, namely, Ujjal Deka who has been detained

behind the bars since 01.12.2023 (for last 42 days) in connection with Basistha P. S. Case No. 745/2023 under Sections 326/294/509/506 of the Indian Penal Code.

3) It appears from the record that the chargesheet has already been laid in this case and the PRC Case No. 296/2023 is pending before the Court of Chief Judicial Magistrate, Kamrup (Metro).

4) As the investigation has already been completed and as the petitioner has already been detained behind the bars for last 42 days, his further custodial detention does not appear to be necessary if he otherwise cooperates in the trial which is pending against him.

5) For aforesaid reasons, the petitioner, namely, Ujjal Deka is hereby allowed to go on bail of Rs. 30,000/- (Rupees Thirty Thousand only) with one surety of like amount subject to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (Metro) with the following conditions:

i. That the petitioner shall regularly appear before the Investigating Officer and cooperate in the investigation.

ii. That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person who may be acquainted with the facts of the case, so as to dissuade such person from disclosing such facts of the case before the Investigating Officer or any Court.

With the above observation, this bail application is accordingly disposed of.

JUDGE

Comparing Assistant