

GAHC010287672023



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

Case No. : Bail Appln./4675/2023

SHAMIM AKTAR SHUHEL
S/O- LATE MATIUR RAHMAN AND SHUFIA KHATUN R/O- SONAPUR, P.S-
BALIKURI, DIST- BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A A R KARIM

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

30.01.2024

This is an application under Section 439 of Cr.PC, 1973 seeking regular bail in favour of the accused/petitioner, namely Sri. Shamim Aktar Shuhel, who was arrested on 15.12.2023 in connection with Hatigaon P.S Case No. 384/2023 registered under Section 366 of IPC corresponding GR No. 9165/2023.

The brief case of the prosecution is that the informant's daughter was kidnapped by the accused person.

The Case Diary as called for is placed before this Court.

I have heard the submissions made at the bar and perused the materials available on record.

It appears from the Case Diary that the victim girl's statement has already been recorded under Section 164 of Cr.PC where she has not implicated the accused/petitioner. It further appears that the accused/petitioner has been languishing in jail for last 46 days.

Considering the above, the petitioner namely Sri. Shamim Aktar Shuhel is allowed to go on bail of Rs. 30,000/- with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), subject to the following conditions:-

- (i) That the petitioner shall cooperate in the investigation.
- (ii) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any other persons who may be acquainted with the facts of the case so as to dissuade such persons from disclosing such facts to the Court or to any Police Officer.
- (iii) That the petitioner shall not leave the jurisdiction of jurisdictional Court without prior written permission.

With the above observation, this bail application stands disposed of.

JUDGE

Comparing Assistant