

GAHC010289722023



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

Case No. : Bail Appln./4604/2023

KAMAL KUMAR
S/O SRI RADHE SHYAM C/O KUNKUNI RICE MILL. PS AND DIST
MORIGAON ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. S CHAKRABORTY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 18-01-2024

Heard Mr. S Chakraborty, learned counsel for the petitioner.
Also heard Mr. K.K. Parashar learned Addl. PP, Assam.

This is an application under section 439 Cr.P.C filed by the petitioner Kamal Kumar after he was arrested on 05.12.2023 in connection with Morigaon PS Case No.442/2023 registered under

sections 120(B)/417/420/409 IPC.

The petitioner is an employee of a rice mill owned by some other persons. The informant has alleged that the rice mill had purchased huge quantity of rice paddy at a rate which is below the minimum support price fixed by the Government. The informant has alleged that the rice mill had cheated the poor farmers.

I have already stated hereinbefore that the petitioner is a mere employee of the rice mill and not the owner.

In view of the above, I am of the considered opinion that there are no materials before me to hold that it was the present petitioner who had actually cheated the poor farmers. Therefore, this bail application of the petitioner is allowed.

Accordingly the petitioner above named shall be released on bail on furnishing a bail bond of Rs.20,000/- with a suitable surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Morigaon, Assam.

The bail application stands disposed of accordingly.

Return the case diary.

JUDGE

Comparing Assistant