

GAHC010289732023



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

Case No. : Bail Appln./4614/2023

SOMESH ALI @ SAMIR ALI
S/O LATE IMAN ALI
R/O MANDIYA , MAHARIPAM
BARPETA, P.S. BAGHBOR,
DIST. BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY HE PP, ASSAM

Advocate for the Petitioner : MR. C K NATH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

04.01.2024

Heard Mr. S. Munir, learned counsel appearing for the accused petitioner as well as Mr. B. B. Gogoi, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely

Somesh Ali @ Samir Ali, has prayed for grant of bail in connection with **Fatasil Ambari PS Case No. 273/2023 under Section 380 of the IPC.**

The case diary, as called for, is placed before the Court.

Learned counsel for the petitioner submits that the accused has been detained in judicial custody since 22.11.2023, that is, for last 43 days and considering his period of detention his bail prayer may be considered. He further submitted that the petitioner was arrested merely on suspicion.

Mr. B. B. Gogoi, learned Addl. P.P., Assam appearing for the State respondent has produced the case diary and submits that the petitioner was arrested merely on suspicion as he was earlier involved with similar kind of offences. He further submits that the stolen vehicle has yet not been recovered.

I have perused the case diary. In view of the submission made by the learned counsel for both the parties, bail prayer of the petitioner is accepted.

Accordingly, it is provided that the accused petitioner, named above, shall be released on bail of **Rs. 50,000/-** with one surety of like amount to the satisfaction of the **learned Chief Judicial Kamrup(M)** subject to the following conditions-

- (i) That the accused petitioner shall cooperate with the Investigating Officer as and when required;
- (ii) That the accused petitioner 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 from disclosing such facts to the Police Officer or the Court; and
- (iii) That the petitioner shall refrain from committing any similar offences in future of which he is accused or suspected of commission.

Return the case diary.

This disposes of the bail application.

JUDGE

Comparing Assistant