GAHC010103752020

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

Case No. : AB 1899/2020

1:JYOTI DAS AND 5 ORS.
S/O LATE JAY KANTA DAS, R/O WARD NO. 1, NAKARI, P.O. AND P.S.-NORTH LAKHIMPUR, DIST-LAKHIMPUR, ASSAM

2: MANASH PRATIM SAIKIA
S/O KHAGEN SAIKIA
R/O CHUTIAKARI
P.O.-MAIDAMIA
P.S.-NORTH LAKHIMPUR
DIST-LAKHIMPUR
ASSAM

3: JADUMONI TURI
S/O LATE BIDESHI TURI
R/O WARD NO. 6
LAKHIMPUR TOWN
P.O. AND P.S.-NORTH LAKHIMPUR
DIST-LAKHIMPUR
ASSAM

4: DIPANKAR DUTTA
S/O SRI JAGAT DUTTA
R/O GHARMORA GAON
P.O.-GHARMORA
P.S.-NORTH LAKHIMPUR
DIST-LAKHIMPUR
ASSAM

5: SWAPAN SHILL
S/O LATE NIHAR RANJAN SHILL
R/O WARD NO. 14

KHELMATI
P.O. AND P.S.-NORTH LAKHIMPUR
DIST-LAKHIMPUR
ASSAM

6: PALLAB BARUAH
S/O SRI GOKUL BARUAH
R/O KONWAR GAON
P.O. AND P.S.-NORTH LAKHIMPUR
DIST-LAKHIMPUR
ASSA

VERSUS

1:THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. P J SAIKIA

Advocate for the Respondent : PP, ASSAM

Linked Case : Bail Appln. 1624/2020

1:NILUTPAL HAZARIKA
S/O SRI NITYANANDA HAZARIKA
R/O NAOBOICHA LOTOW PATHER
P.S. NORTH LAKHIMPUR
DIST. LAKHIMPUR
ASSAM

VERSUS

1:THE STATE OF ASSAM
REP .BY THE PP
ASSAM

Advocate for the Petitioner : MS. S G BARUAH
Advocate for the Respondent : PP
ASSAM

B E F O R E

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

28.08.2020

Heard Mr. S.G. Baruah, learned Counsel appearing for the petitioner. Also heard Mr. B. B. Gogoi, learned Additional Public Prosecutor appearing for the State.

The petitioner namely Nilutpal Hazarika has prayed for releasing him on bail under Section 439 Cr.P.C in the matter of North-Lakhimpur P.S. Case No. 661/2020.

On 26.07.2020, two persons checked into a room in a hotel at North-Lakhimpur town. While those who two persons were in their room, some persons arrived there and they beat them and snatched away 1,80,000/- from them.

The case diary reveals that the two guests were playing cards and were consuming liquor inside their room. Some people of the locality were against that act and therefore, they came to the hotel and there was a fisticuff between them but so far as the snatching of Rs. 1,80,000/- is concerned, there is no materials in the CD on that point.

In the light of the materials available on record, I am of the considered view that the petitioner namely Nilutpal Hazarika does not deserve to be detained in custody for any further period of time. It is hereby directed that the petitioner, namely, Nilutpal Hazarika shall be released on bail of Rs. 10,000/- with a surety of like amount to the satisfaction of the Chief Judicial Magistrate, North-Lakhimpur.

Accordingly, the bail application stands disposed of.

Case diary shall be returned back.

JUDGE

Comparing Assistant