GAHC010157142020

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

Case No. : Bail Appln./2406/2020

ISMAIL ALI
S/O MAHIM ALI, R/O VILL-BANBARIA, P.S.-BARPETA, DIST-BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. L R MAZUMDER

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR JUSTICE SONGKHUPCHUNG SERTO

ORDER

Date : 23-11-2020

Heard Mr. L.R. Mazumder, learned counsel for the petitioner as well as Mr. N.J. Dutta, learned Additional Public Prosecutor, State of Assam.

This is an application under Section 439 Cr.P.C. praying for release of the petitioner who has been stated to be in custody for the last 29 days in connection with FIR Case No. 1435/2020 (Basistha P.S.) registered under Section 379 of IPC.

It is submitted by both, the learned counsel for the petitioner and the learned Addl. P.P. that the materials which are alleged to have been stolen by the petitioner have been received by the owner of the truck.

I have gone through the Case Diary of the case placed by the learned Addl. P.P. with the help of the Court Master. It appears from the Case Diary that custody of the petitioner is no longer required. In that view of the matter, the petition is allowed.

The petitioner shall be released on bail on furnishing a PR Bond of Rs. 10,000/- with a surety bond of the like amount, to the satisfaction of the learned CJM, Kamrup (Metro).

The bail application stands disposed of.

JUDGE

Comparing Assistant