GAHC010168282020

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

Case No. : Bail Appln./2616/2020

MANTU ALI AND 2 ORS
S/O LATE GULAB ALI, R/O GARIGAON, JEAUTIPARA, P.S.-JALUKBARI, DIST-KAMRUP(M), ASSAM

2: ABDUL ALI @ ABUL ALI

3: MONIR ALI @ MONI LAL AL

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. C K NATH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

01-12-2020

This is an application made under **Section 439 Cr.P.C.**, seeking bail by the accused-petitioners, namely, **1. Mantu Ali, 2. Abdul Ali @ Abul Ali** and **3. Monir Ali @ Moni Lal Ali,** in connection with **Jalukbari Police Station Case No. 1314/2020**, registered **under Sections 120(B)/379 of the IPC**.

I have perused the petition including the copy of the FIR and the documents annexed therewith.

Heard Mr. S. Munir, learned counsel appearing for the accused-petitioners and Mr. N.J. Dutta, learned Additional Public Prosecutor, appearing for the State.

This is second bail application for the petitioners before this Court. Their first application was rejected vide order, dated 17-11-2020, on 21 days of their custody. This second application has been made after 36 days of detention of the petitioners. The petitioners are alleged to have committed pick pocketing in respect of an amount of Rs.2500/-.

Considering the nature of allegation and the amount involved as well as the fact of detention of 36 days in custody, further custodial detention of the petitioners is not necessary in the interest of investigation of the case. Therefore, they are granted bail.

Accordingly, the accused-petitioners, named above, shall be released on bail in connection with the case aforementioned on furnishing bail bond of **Rs.15,000/- each** with **a suitable surety** each of the like amount, to the satisfaction of learned Chief Judicial Magistrate, Kamrup (M), Guwahati.

The direction for bail is further subject to the conditions that the accused-petitioners:

(a) shall not leave the territorial jurisdiction of learned Chief Judicial Magistrate, Kamrup (M), Guwahati, without prior written permission from him;

(b) shall not hamper with the investigation, or tamper with the evidence of the case;

(c) 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 Court or to any police officer.

In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant