GAHC010184702020

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

**Case No. : Bail Appln./2899/2020**

MD. ABDUR RAHMAN @ ABDUL
S/O MD FORZEN ALI, R/O H/NO. 544, YUSUSF NAGAR, BATAHGHULI, P.O.-PANJABARI, P.S.-SATGAON, GUWAHATI, DIST-KAMRUP(M), ASSAM-781037

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner** : MR. K R BORA

**Advocate for the Respondent** : PP, ASSAM

**BEFORE**

**HON'BLE MR. JUSTICE MANASH RANJAN PATHAK**

**21/12/2020**

Heard Mr. K R Bora, learned counsel for the petitioner and Mr. N J Dutta, learned Additional Public Prosecutor, Assam for the State.

This application under Section 439 Cr.P.C. has been filed by the petitioner, namely, **Md. Abdur Rahman @ Abdul**, seeking bail in connection with Satgaon P.S. Case No. 183/2020 registered under Section 14 of the Assam Game and Betting Act, 1970, corresponding to G.R. Case No. 13730/2020, wherein he was arrested on 10.11.2020 and is in custody since then.

Perused the case diary placed today before the Court by Mr. N J Dutta, learned Additional Public Prosecutors, Assam.

As per the FIR of the case, while a police patrolling party from Satgaon Police Station doing their duty in Panjabari, Bataghuli, on 09.11.2020 in the evening around 06:30 PM, found the petitioner along with others playing dice game involving money and accordingly, they were apprehended. Police also seized the dice along with other materials from the possession of the petitioner and the other persons arrested in the case.

It is seen that in the Forwarding Report dated 10.11.2020, the Investigating Officer observed that if the petitioner is released on bail and if he is not detained in custody for a period of 2 (two) weeks then the petitioner along with his other colleagues may hamper during the period of ensuing Kali Puja and the said Puja was already over on 14/15$^{th}$ of November, 2020.

Considering the same and the period of detention of the petitioner in custody since 10.11.2020, the Court is of the view that further custodial detention of the petitioner, namely, **Md. Abdur Rahman @ Abdul** is not warranted to investigate the said Satgaon P.S. Case No. 183/2020. As such, this bail application of the petitioner is accepted.

Accordingly, the petitioner, namely, **Md. Abdur Rahman @ Abdul**, be released on bail in said Satgaon P.S. Case No. 183/2020 on furnishing a bail bond of Rs.30,000/- with 2 (two) local sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup(Metro), Guwahati on conditions that the petitioner – (**i**) shall appear before the Investigating Officer of said Satgaon P.S. Case No. 183/2020 as and when he is required for necessary investigation of the case; (**ii**) shall not leave the territorial jurisdiction of the Satgaon Police Station, without obtaining prior written permission from the concerned Investigating Officer of the case; (**iii**) shall not hamper with the investigation, or tamper with the evidence of the case and (**iv**) 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 them from disclosing such facts to the Court or to any police officer, failing which, the bail granted to him in the aforesaid Satgaon Police Station case shall stand automatically vacated.

Bail application accordingly stands allowed.

Return the case diary herewith.

**JUDGE**

**Comparing Assistant**