GAHC010190952020

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

Case No. : Bail Appln./3031/2020

MRIDUL DAS
S/O SRI HARISH CHANDRA DAS, VILL-DHARMAPUR, P.S.-ABHAYAPURI,
DIST-BONGAIGAON (ASSAM)

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR H K DAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

Date : 22-12-2020

Heard Shri H. Das, learned senior counsel for the petitioner, who has filed this bail application under Section 439 of the Cr.P.C. praying for grant of regular bail in connection with Abayapuri P.S. Case No. 914/2020, under section 353 of IPC.

Call for the Case Diary, fixing 18.01.2021.

It is submitted that pertaining to some illegal activities in the whereabouts of the petitioner, a person was apprehended and handed over to the Police, who was

however released by the Police without taking him into custody. Thereafter, when the Police had come to take the possession of the motor cycle of the said person, there was altercation in which, it has been submitted that the present petitioner tried to pacify the matter. However, on the allegation that the petitioner had obstructed the Police man on duty, he was arrested on 01.12.2020 and presently has completed about 22 days in custody.

Shri H.Das, learned counsel submits that considering the nature of the allegation and the length of detention, further custodial detention may not be necessary. On the other hand, Shri D. Das, learned Additional Public Prosecutor fairly submits that though the length of detention is relevant factor in the event the petition is allowed, strict conditions may be imposed upon the petitioner.

In view of the aforesaid facts and circumstances, this Court is of the opinion that the petition deserves to be allowed. Accordingly, it is directed that the petitioner namely, Sri Mridul Das shall be released on bail on furnishing a bail bond of Rs. 10,000/- (Rupees Ten Thousand) with a surety of like amount subject to the satisfaction of learned SDJM (M) North Salmara, Abhayapuri in connection with Abayapuri P.S. Case No. 914/2020, under section 353 of IPC.

Petitioner is directed to rendered full co-operation with the investigation and not to indulge with any activity which is detrimental to the same.

Bail application stands disposed of.

JUDGE

Comparing Assistant