

GAHC010148422019



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

Case No. : Bail Appln. 1692/2019

1:KHADER SHABEER
S/O M. ABDUL RAHMAN, R/O F.A. AHMED NAGAR, RODALI PATH, SIX
MILE, P.S. DISPUR, GUWAHATI-22, DIST. KAMRUP(M), ASSAM,
PERMANENT R/O SHABEENA COTTAGE, SURALPADY, KINNIKAMBALA
POST, P.S. BAJPE, MANGLORE, KARNATAKA-574151, PH. 9964238666

VERSUS

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

Advocate for the Petitioner : MR M GARODIA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MIR ALFAZ ALI

ORDER

Date : 28-06-2019

Heard Mr. M Garodia, learned counsel for the petitioner and Mr. NJ Dutta, learned Addl. PP, Assam.

This is an application under Section 439 Cr.P.C. praying for bail of the accused petitioner, namely, Khader Shabeer, who is in detention in connection with Dispur PS Case No.1664/2019 under Section 379 IPC.

Perused the FIR and the documents annexed therewith.

The petitioner was arrested on 22.06.2019 and since then he is in

custody.

The allegation made in the FIR is that the present petitioner and the informant are business partners. The informant was running a shop at Dispur Super Market, Divine Plaza. The petitioner left the room under lock and key on the previous day and when the informant came on the next day, she found that there were two different locks in the door. On enquiry she was informed that the present petitioner who happens to be the business partner of the informant and one Mringka Gogoi, who happens to be the owner of the house entered the shop and had taken away articles amounting to Rs.5,00,000/-.

Having considered the fact that the petitioner himself is the business partner of the informant, this Court is of the view that further custodial detention of the petitioner is not necessary for the purpose of investigation. Accordingly, the accused/petitioner above named is allowed to be enlarged on bail of Rs.20,000/- with a suitable surety of the like amount to the satisfaction of the learned CJM, Kamrup (M), Guwahati.

The bail application stands disposed of.

J U D G E

Smita

Comparing Assistant