

GAHC010111072020



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

Case No. : Bail Appln. 1653/2020

1:SUKUMAR DUTTA @ DULU DUTTA
S/O LT. RAMENDRA NATH DUTTA, KOKRAJHAR TOWN, SANTINAGAR,
WARD NO .2, P.O. AND P.S. DIST. KOKRAJHAR, ASSAM

VERSUS

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

Advocate for the Petitioner : MR. K BHATTACHARJEE

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN
ORDER

31.08.2020

By this application under Section 439 CrPC, petitioner, namely, Sukumar Dutta @ Dulu Dutta, who was arrested on 16.07.2020, has prayed for granting him regular bail, in connection with Kokrajhar PS Case No. 376/2020, under Sections 379/420/506 IPC.

Heard the learned counsel for both the sides.

The Case Diary has been produced.

It reveals from the FIR as well as the Case Diary that the informant has raised the allegation that the present petitioner along with others purchased land from the father of the informant in the year 2009 and they got the land registered fraudulently and the land was also mutated in their names and possessing of the land illegally. It has, however, not been disclosed as to why his father did not come

up with such allegation. The FIR was filed on 31.07.2020, referring to the incident of 2009.

The matter appears to be more of a civil profile than a criminal one and can be tested in course of trial.

Considering all entirety of the matter and the length of detention of the accused since 16.07.2020, it can be inferred that further custodial detention of the accused can be dispensed with.

Accordingly, the accused petitioner, aforesaid, is allowed to go on bail of Rs. 20,000.00, with one surety of the like amount, to the satisfaction of learned CJM, Kokrajhar.

Bail Application stands disposed of.

Return the Case Diary.

JUDGE

Comparing Assistant