

GAHC010175882020



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

**Case No. : Bail Appln./2808/2020**

HAREJ ALI  
S/O AMZAD ALI, R/O KAHIBARI PART-II, P.O.-KIRTANPARA, P.S.-  
ABHAYAPURI, DIST-BONGAIGAON, ASSAM, PIN-783384

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

**Advocate for the Petitioner : MR A A DEWAN**

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

**BEFORE**  
**HONOURABLE MR. JUSTICE AJIT BORTHAKUR**

**ORDER**

**Date : 22-12-2020**

Heard Mr. AA Dewan, learned counsel for the petitioner and Ms. SH Borah, learned Additional Public Prosecutor, Assam for the State respondent.

By this petition under Section 439 Cr.P.C., the petitioner, namely, **Harej Ali** has prayed for granting bail in connection with **Agia PS Case No. 115/2020** under Sections 143/365 of the IPC.

The case diary is received.

Mr. AA Dewan, learned counsel for the accused petitioner, submits that the accused has been in judicial custody for 48 days. Mr. Dewan further submits that there is no whisper about the accused in the FIR and as such, the case against him is based on mere suspicion.

Ms. SH Borah, learned Addl.P.P. Assam submits that the present accused is arrested on some amount of evidence that he is associated with the co-accused in the commission of the alleged offences.

The case relates to abduction of two persons, namely Mohidul Hoque and Mafizur Rohman by some miscreants.

Perusal of the statements of the victim persons, recorded under Section 164 Cr.P.C. do not indicate any sufficient incriminating evidence against the present accused warranting further continuation of his detention in judicial custody in the interest of ongoing investigation.

Therefore, it is provided that the accused petitioner, named above, shall be released on bail of **Rs.20,000/-** with one surety of the like amount to the satisfaction of the learned **CJM, Goalpara**, subject, of course, to the following conditions:

1. That the accused shall co-operate in the investigation as and when required; and
2. That the accused 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 either to the Court or to any police officer.

Return the case diary.

With the above directions, the bail application stands disposed of.

**JUDGE**

**Comparing Assistant**