

GAHC010082812024



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

Case No. : Bail Appln./1196/2024

GENDU MOHAN NATH
S/O LATE JADU RAM NATH
RESIDENT OF DEURIPARA, PO , PS AND DIST BONGAIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR D C NATH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 30.04.2024

Heard Mr. Z Alam, learned counsel for the petitioner as well as Mr. R R Kaushik, learned Additional Public Prosecutor, Assam.

The 2nd bail application has been filed under section 439 CrPC by the petitioner Gendu Mohan Nath in connection with ACB PS Case No.21/2024 registered under section 7 (a) of the Prevention of Corruption Act,

1988.

The petitioner was caught red handed while he was accepting a bribe of Rs.5,000/-. Earlier, this court rejected the bail prayer of the petitioner.

Mr. Alam has submitted that today is the 50 th day of detention of the petitioner in custody and as such, period of detention already undergone by the petitioner should be taken as a ground for releasing him on bail.

I have considered the submission made by the learned counsel for both the parties.

This court have decided to accept the prayer of the petitioner considering the period of detention already undergone by him. Hence, the prayer of the bail is allowed.

Accordingly, it is directed that the petitioner Gendu Mohan Nath, who was arrested in connection with ACB PS Case No. 21/2024 registered under section 7 (a) of the Prevention of Corruption Act, 1988 shall be released on bail of Rs.25,000/- with one surety of like amount to the satisfaction of the learned Special Judge, Assam at Guwahati.

The bail application is disposed of.

JUDGE

Comparing Assistant