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

Case No. : Bail Appln./960/2025

SARWAM SAH AND 3 ORS
S/O. LT. SURESH SAH, R/O. JOGBANI, P/S. JOGBANI, DIST. ARARIA, BIHAR

2: SUNIL YADAV
S/O. LT. PARAM YADAV
RESIDENT OF CHURIPATTI
POLICE STATION- KISHANGANJ
DISTRICT- KISHANGANJ
BIHAR

3: ASHOK DAS
S/O. BULLU DAS
RESIDENT OF CHURIPATTI
POLICE STATION- KISHANGANJ
DISTRICT-KISHANGANJ
BIHAR

4: MAJNU YADAV
S/O. LT. MATILAL YADAV
RESIDENT OF RAMPUR
POLICE STATION- KATIHAR DISTRICT- KATIHAR
BIHA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. C K NATH, MR. AJAY SARMA, MR. S MUNIR

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

28.03.2025

1. Heard learned counsel Mr. S. Munir for the petitioners namely, (i) Sarwam Sah, (ii) Sunil Yadav, (iii) Ashok Das, and (iv) Majnu Yadav..
2. The petitioners have filed this application under Section 483 of the BNSS, 2023 with prayer for bail as they are behind bars since 11.03.2025 in connection with Guwahati GRPS Police Station Case No. 31/2025 under Sections 305(c)/317(4)/3(5) of the BNS.
3. Heard Mr. D. P. Goswami, learned Additional Public Prosecutor, Assam for the respondent State.
4. The allegation against the petitioners is that they are involved in numerous theft incidents from trains. With the help of CCTV footage, the petitioners were found committing such offence.
5. The learned CJM has rejected the bail prayer of the petitioners on 02.03.2025.
6. I have considered the submissions at the Bar. The petitioners have been behind bars since 01.03.2025.
7. It appears that investigation may have progressed substantially. It appears that further custodial detention may not be required for the progress of investigation. The petitioners have pledged to co-operate with the remaining part of investigation and to abide by any stringent bail conditions if imposed upon them.

8. Considering all aspects, petition is allowed. The petitioners shall be enlarged on bail on furnishing a bail bond of Rs. 30,000/- each with a suitable surety of like amount to the satisfaction of the learned CJM, Kamrup (M), under the conditions that:

(i) The petitioners shall appear before the Investigating Officer on every fortnight till completion of investigation, and

(ii) The petitioners shall refrain from such activities with which they are alleged.

On breach of any of the bail conditions, the learned Court is at liberty to immediately cancel the bail granted to the petitioner.

9. In terms of the above observation, this bail application stands disposed of.

JUDGE

Comparing Assistant