

GAHC010164852025



2025:GAU-AS:9848

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

Case No. : Bail Appln./2428/2025

SOFIKUL ALI @ GORIA
S/O- KARIM BOXO.
VILL.- 5 NO. BASHBARI, P.S.- MANIKPUR,
DIST.- BONGAIGAON.ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. M I HUSSAIN, R KHA,N. UDDIN,MS. P AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 31-07-2025

Heard Mr. M.I. Hussain, the learned counsel for the petitioner and also heard Mr. J. Chutia, the learned Additional Public Prosecutor appearing on behalf of the State respondent.

2. This is an application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, with prayer for bail as the petitioner is behind bars since 21.06.2025 in connection with Abhayapuri P.S. Case No. 59/2025 u/s 331(4)/305(e) of the BNS.

3. It is submitted by Mr. Hussain, the learned counsel for the petitioner that the present accused/petitioner is innocent and he has been falsely implicated in the case. He is not an FIR named accused but, subsequently he was arrested only on suspicion. He was initially for 3 days in police remand and thereafter he was sent for judicial remand and he was never asked for further interrogation by Investigating Officer and since last 40 days he is behind the Bar. He further submitted that from the bail order passed for the co-accused it reveals that the stolen good has already been recovered from a jewellery shop. Also the other co-accused person is already being released on bail and hence considering the length of detention the case of the petitioner may also be considered. However, he is ready and willing to co-operate with the Investigating Officer regarding further investigation of this case, if he is granted with the privilege of bail.

4. Mr. Chutia, the learned Additional Public Prosecutor submitted in this regard that the accused/petitioner is also involved in the commission of offence and finding sufficient materials against him, he was arrested and forwarded to the judicial custody. Accordingly, he submitted that Case Diary may be called for to know the actual facts of the case.

5. After hearing the submissions made by learned counsel for both sides, without going into the merit of the case and considering the length of detention already undergone by the accused/petitioner as well as recovery of the stolen goods, I find that further custodial interrogation may not be necessary for further investigation of the case. Accordingly, I find it is a fit case to enlarge the

accused/petitioner on bail.

6. Accordingly, the accused/petitioner is released on bail on furnishing a bond of Rs. 20,000/- (Rupees twenty thousand) only with one surety of like amount to the satisfaction of the learned CJM, Bongaigaon. The accused/petitioner, namely Sofikul Ali @ Gorla, be enlarged on bail, subject to the following conditions:-

- (i) that the petitioner shall make himself available for interrogation by the Investigating Officer as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threaten or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and
- (iii) that the petitioner shall not leave the jurisdiction of the learned CJM, Bongaigaon without prior permission.

The Bail Application stands disposed of.

JUDGE

Comparing Assistant