

GAHC010037132024



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

**Case No. : Bail Appln./519/2024**

JIM KELENG  
S/O SHRI AMAR KELENG  
R/O NIZ HAHARA  
PS. SONAPUR,  
DIST. KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM  
TO BE REP BY THE PP, ASSAM

**Advocate for the Petitioner : MR. K N KALITA**

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

**BEFORE  
HON'BLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**01.03.2024**

Heard Mr. B. Islam, learned counsel for the accused and also heard Mr. B. Sarma, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

2. This application, under section 439 Cr.P.C. is preferred by accused, namely, Jim

Keleng, who has been languishing in jail hazot since 05.02.2024, in connection with Guwahati GRPS Case No.37/2024, under Section 381 IPC, for grant of bail.

3. It is to be noted here that the above noted case has been registered on the basis of an FIR lodged by one Anjanjyoti Mazumdar, Bench Assistant to Special Railway Magistrate, Guwahati, on 03.02.2024. The essence of allegation made in the aforesaid FIR is that on 30.01.2024, he kept a sum of ₹ 64,600/- in the locker of the Court room and kept the key in his drawer and on 03.02.2024, at about 11:00 a.m. he found the key missing from the drawer and the amount of ₹ 64,600/- is also missing from the locker and the Court Peon Jim Keleng knows, where he had kept the key of the locker.

4. Mr. Islam, learned counsel for the accused, submits that the accused was arrested on 05.02.2024 and since then, he has been languishing in jail hazot for last 25 days and that he has been arrested only on suspicion and therefore, it is contended to allow the petition.

5. On the other hand, Mr. B. Sarma, learned Additional Public Prosecutor, Assam, has produced the case diary before this Court and submits that the I.O. has collected some materials in support of the allegation made in the FIR and therefore, Mr. Sarma has opposed the petition.

6. Having heard the submission of learned Advocates for both sides, I have carefully gone through the petition and the documents placed on record and also perused the case diary with the assistance of Mr. Sarma, learned Additional P.P.

7. It appears that the accused has been languishing in jail hazot for last 25 days and in view of the materials collected so far in the case diary, further custodial detention of the accused seems to be not warranted in the interest of investigation and therefore, this Court is inclined to allow this petition. It is provided that on furnishing a bond of ₹ 50,000/- with one surety of the like amount to the satisfaction of the learned C.J.M., Kamrup(M), the accused, namely, Jim Keleng, be enlarged on bail. Case diary be returned.

8. In terms of above, this bail application stands disposed of.

**Sd/- Robin Phukan**  
**JUDGE**

**Comparing Assistant**