

GAHC010017112023



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

Case No. : AB/253/2023

BAPPI DEV
S/O LATE MOTI RANJAN DEV
R/O HOUSE NO. 48, WARD NO.17 BETKUCHI LALOONGGAON
P.S. GORCHUK
DIST. KAMRUP (METRO), ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. B K GOGOI

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MR. JUSTICE SOUMITRA SAIKIA
ORDER

17.03.2023

Mr. B.K. Gogoi, learned counsel, appears for the petitioners.

Mr. B.B. Gogoi, learned Additional Public Prosecutor, Assam appears for the State.

The petitioner, namely, Bappi Dev, has preferred this Anticipatory Bail Application apprehending arrest in connection with Nagaon Police Station Case No.1392/2022 registered under Section 379 IPC read with Section 23 of the Petroleum Act, 1934.

By the First Information Report, dated 15.12.2022, lodged by the informant, P.J. Hajarika, CEPL (Ops) PS4 on behalf of Oil India Limited, it was alleged that on 15.12.2022, Oil Control Room at Guwahati informed that there was a pressure drop in the crude oil from 01.10 hrs to 02.30 hrs. The Oil India officials visited the concerned site and found some pilferage point with unauthorized fittings in crude pipeline at PL Km 30.14 near Uria Gaon (Bhotai Gaon road). It was stated in the FIR that the site had been barricaded and maintenance work will commence from the next date. By the said FIR, adequate security arrangement for any kind of unfavourable condition was requested in view of the severity of the risk for the highly inflammable petroleum products. Pursuant to the FIR, police made enquiries into the matter and commenced investigation in the matter.

This Court by order, dated 01.02.2023, while calling for the Case Diary had granted anticipatory bail to the petitioner.

Today, when the matter is called up, Case Diary was produced by the learned Additional Public Prosecutor, Assam.

Learned counsel for the parties have been heard. The pleadings on record have been perused.

From the Case Diary, it appears that police has arrested one person, namely, Ranjit Borah, who is a driver by profession. The petitioner is also a driver of an Oil Tanker under the ONGC. The arrested accused is known to the petitioner as stated by the petitioner.

From the Case Diary, it is seen that the petitioner appeared before the Investigating Officer and his statements were recorded. No incriminating materials are seen from the Case Diary to suggest that the petitioner did not cooperate with the investigation or that there was any violation of the conditions under which anticipatory bail was granted to him.

Considering the above, this Court is of the view that the anticipatory bail granted to the petitioner vide order, dated 01.02.2023, can be made absolute. Accordingly, the interim bail granted to the petitioner vide order, dated 01.02.2023, is hereby made absolute on the same terms and conditions on which the anticipatory bail was granted to him by this Court on 01.02.2023.

The Anticipatory Bail application is, accordingly, disposed of.

Case Diary be returned back.

JUDGE

Comparing Assistant