

GAHC010064972023



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

Case No. : I.A.(CrI.)/234/2023

MOHAN CHANDRA DAS @ MOHAN DAS AND 2 ORS.
S/O LATE MONBHAL DAS
R/O BORIGAON
P.S. JORHAT,
DIST. JORHAT, ASSAM, PIN 785001

2: SANJU DAS @ AKONI
S/O LATE MONBHAL DAS
R/O BORIGAON
P.S. JORHAT

DIST. JORHAT
ASSAM
PIN 785001

3: BITUPAN DAS @ BITUPON DAS @ BITU
S/O LATE MONBHAL DAS
R/O BORIGAON
P.S. JORHAT

DIST. JORHAT
ASSAM
PIN 78500

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A CHAUDHURY

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR**

ORDER

Date : 22.03.2023

Heard Mr. BK Mahajan, learned counsel for the accused applicants as well as Mr. B Sarma, learned Addl. P.P., Assam for the State respondent.

By interlocutory application, the accused applicants namely, **1. Mohan Chandra Das @ Mohan Das, 2. Sanju Das @ Akoni and 3. Bitupan Das @ Bitupon Das @ Bitu** have prayed for **interim bail** who are arrayed as accused in connection with Bail Application No.3127/2022 arising out of **Jorhat PS Case No. 2620/2021** to attend and complete the rites and rituals on 3rd April , 2023 of the father of **petitioner No.3 Bitupan Das** namely, Poresh Das who expired on 19.03.2023.

Mr. BK Mahajan, learned counsel for the accused applicants submits that the father of the applicant No. 3, namely, Late Poresh Das expired on 19.03.2023 at Assam Medical College, Dibrugarh and in order to attend the rites and rituals of the deceased Poresh Das, the **applicant No.3, Bitupan Das @ Bitu** who is the son, applicant No. 1, younger brother and applicant No. 2 uncle of the deceased may be released on interim bail under any conditions.

Considering the submission of the learned counsel for the accused applicants and particularly the averments made in paragraph Nos. 3, 4 and 5 of the application, it is directed that the accused applicant No. 3 namely, **Bitupan Das @ Bitupaon Das @ Bitu**, shall be released on **interim bail till 6th of April , 2023** on furnishing bail bond of **Rs. 50,000/- (Fifty Thousand)** with one surety of like amount to the satisfaction of the **learned Sessions Judge, Jorhat** subject to the following conditions-

- i) That this interim bail order shall remain in force till 06.04.2023 from the

date of this order,

- ii) That the accused applicant No. 3 Bitupan Das @ Bitu shall not directly or indirectly make any inducement, threat or promise to to any person acquainted with the facts of the case fo the Court during the period on bail: and
- iii) That the accused applicant No. 3 No. 3 Bitupan Das @ Bitu shall report back to the Superintendent of District Jail, Jorhat positively on **7th April, 2023** forenoon, from the date of this order.

The interim bail prayer of applicant Nos. 1 and 2. namely 1.**Mohan Chandra Das @ Mohan Das**, 2. **Sanju Das @ Akoni** is rejected.

This disposes of the interlocutory bail application.

JUDGE

Comparing Assistant