

GAHC010077272021



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

Case No. : AB/1226/2021

DHIRON NARZARY
S/O- LT. LOWRENCE CH. NARZARY, R/O- VILL- TUKRAJHAR, P.S.
RANIKHATA, DIST.- CHIRANG (ASSAM)

VERSUS

THE STATE OF ASSAM
REP. BY P.P., ASSAM

Advocate for the Petitioner : MR. S C BISWAS

Advocate for the Respondent : PP, ASSAM

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

07-06-2023

Heard Mr. S. C. Biswas, learned counsel for the petitioner and Mr. M. P. Goswami, learned Additional Public Prosecutor, Assam for the State.

By this application under Section 438 CrPC, the petitioner namely, **Dhiron Narzary** apprehending his arrest is seeking pre-arrest bail in Runikhata P.S. Case No.08/2021 registered under Sections 120(B)/406/420/34 IPC.

The petitioner along with other accused with different name and style used to operate

in the State of Assam, mostly in BTC area and collected huge amount of money from various job seekers assuring them to provide employment, labour works, installation of mobiles towers, pipeline work, electrification of villages and other construction activities related to the Central Government Public Sector Units like Oil India Limited, Indian Oil Corporation Limited etc., and in that way collected huge amount of money. As such, on the basis of the FIR, said Runikhata P.S. Case No.08/2021 was registered against the petitioner and other accused persons of the case.

The Court earlier on 29.04.2021 granted interim bail to the petitioner, named above.

Perused the case diary produced before the Court today, by Mr. M. P. Goswami, learned Additional Public Prosecutor, Assam.

Mr. Goswami, learned Additional Public Prosecutor from the up-to-date case diary submitted that after obtaining interim pre-arrest bail in said Runikhata P.S. Case No.08/2021, the petitioner appeared before the I.O. of the case and his statement was recorded.

Mr. Goswami from case diary, further submitted that investigation is almost complete, except recording of statements of some persons, who handed over amounts to the petitioner and his other colleague. Mr. Goswami, further submitted that after recording of statements of those witnesses, charge-sheet will be filed in said Runikhata P.S. Case No.08/2021.

Considering the above, the Court is of the view that custodial interrogation of the petitioner is not warranted to investigate said Runikhata P.S. Case No.08/2021. As such, this pre-arrest bail application of the petitioner, named above, in said Runikhata P.S. Case is accepted.

The petitioner namely, **Dhiron Narzary** is already on interim bail in said Runikhata P.S. Case No.08/2021 granted to him earlier on 29.04.2021 and the same is hereby made absolute on the terms and conditions that the petitioner shall - **(i)** appear before the Investigating Officer of Runikhata P.S. Case No.08/2021, as and when he is required for necessary investigation of said Lanka P.S. Case; **(ii)** not leave the territorial jurisdiction of the Runikhata police station, without obtaining prior written permission from the concerned Investigating Officer of the case; **(iii)** not hamper with the investigation, or tamper with the evidence of the case and **(iv)** not, directly or indirectly, make any inducement, threat or

promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.

With the above observation and directions, this pre-arrest bail application accordingly stands allowed to the extent above.

Return the case diary.

JUDGE

Comparing Assistant