

GAHC010086112023



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

Case No. : Bail Appln./1499/2023

MISS HENU ANGO
D/O PAKSEN ANGO, R/O 025, NEAR SBI NAHARLANGUN, E-SECTOR, ABC
COLONEY, NAHARLANGUN, P.S.-PAPUM PARE, DIST-ARUNACHAL
PRADESH

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR K THAKUR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 30.06.2023

Heard Mr. D. Medhi, learned counsel for the petitioner. Also heard Mr. K. K. Das, learned Additional Public Prosecutor for the State.

This bail application has been preferred under Section 439 of Code of Criminal Procedure, 1973, praying for bail of petitioner, namely, Henu Ango, who has been arrested on 14.04.2023 in connection with Dispur Police Case No. 642/2023 under Section 489(b)/489(C) of the Indian Penal Code.

The accusation in this case is that on 13.04.2023 one Sri Jitendra Singh, SI of Assam Police, Dispur Police Station an FIR was lodged before the Officer-in-Charge, Dispur Police Station, *inter alia*, alleging that on that day, when the informant was on his duty, he received a phone call informing him that a woman has been detailed near Beltola Chariali under Basistha Police Station carrying with counterfeit money.

On receipt of the said information when the informant along with the other police personnel reached the spot, he found the woman to be the present petitioner who was detained by public with counterfeit Indian currency notes of Rs. 42,500/-. Another woman Smt. Rejia Begum was also arrested with Rs. 90,570/-.

On receipt of the said FIR, Dispur P. S. Case No. 642/2023 was registered.

Learned counsel for the petitioner has submitted that the petitioner has been detained behind the bar, since last 79 days whereas, the co-accused Smt. Rejia Begum has already been granted bail by this court on 17.05.2023. In support of his submission learned counsel for the petitioner has also submitted the bail order dated 17.05.2023 passed in bail application no. 1487/2023.

Learned counsel for the petitioner has submitted that on 18.06.2023, the mother of the present petition has also expired and submits that she has a minor son to look after.

On the other hand, learned Additional Public Prosecutor has opposed the prayer for grant of bail, submitting that there are sufficient incriminating materials against the present petitioner. However, he also submits that investigation has fairly progressed.

I have heard the submissions made by the learned counsel for both sides and perused the material on record.

Considering the fact that the investigation has fairly progressed as well as considering the fact that the present petitioner has already behind the bar since last 79 days, further custodial detention of the present petitioner does not appear to be necessary for fair completion of the investigation of Dispur Police Case No. 642/2023.

In view of the above, the present petitioner, namely, Henu Ango, is allowed to go on bail on furnishing of bail bond of Rs. 30,000/- (Rupees Thirty Thousand only) with one surety of like amount to the satisfaction of the Chief Judicial Magistrate Kamrup, Metro with condition:

1. That the accused-petitioner shall co-operate with the investigation of this case.
2. The accused-petitioner shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the Investigating Officer of the said case or to any court.

This bail application is accordingly disposed of.

JUDGE

Comparing Assistant