

GAHC010139652023



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

Case No. : Bail Appln./2256/2023

SANDHYA PRADHAN @ SANDHYA BISWAKARMA
W/O SRI RAHUL BESWAKARMA
R/O TALTOLA, SATGAON
P.S. SATGAON
DIST. KAMRUP (M), ASSAM
CONTACT NO. 9864064084

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR B K DAIMARI

Advocate for the Respondent : PP, ASSAM

Linked Case : Bail Appln./2118/2023

CHHAYA PRADHAN
W/O- AMIT PRADHAN
PRESENTLY RESIDING AT TALTOLA
KALITAKUCHI
P.O. SATGAON
P.S. SATGAON
DIST.- KAMRUP (M)
ASSAM

VERSUS

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

Advocate for : MR. S SARMA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 31.07.2023

This is a common order for these two petitions as because it has arisen out of the same FIR.

Heard Mr. T.H. Hazarika and Mr. S. Sarma, learned counsel for the accused/petitioners. Also heard Ms. S.H. Bora, learned Additional Public Prosecutor for the State.

This is an application made under **Section 439 Cr.P.C.**, seeking bail by the accused-petitioners, namely, **Smt. Sandhya Pradhan and Smt. Chhaya Pradhan**, in connection with **Satgaon Police Station Case No. 92/2023(corresponding to G.R. No. 3499/2023)**, registered under **Sections 456/294/354/354(B)/326/379/34 of IPC.**

It has been submitted by the learned counsel for the petitioners that the accused-petitioners have been detained in custody for last 75 days as on date. It is also submitted that both the petitioners have infants who have also been detained in custody along with the petitioners. Considering the background of the case as well as period of detention, petitioners may be enlarged on bail.

Ms. Bora, learned Additional Public Prosecutor for the State has opposed in

grating bail to the petitioners. She submits that scanned copy of the case diary and the LCR has not yet been received. Therefore, prayer of the petitioners may not be considered at this stage.

Considering the materials, the submissions made by the learned counsel for the parties as well as the length of detention of the accused-petitioners in custody, this Court is of the view that further custodial detention of the accused-petitioners is not necessary.

Accordingly, the accused-petitioners, named above, shall be released on bail in connection with **Satgaon Police Station Case No. 92/2023(corresponding to G.R. No. 3499/2023)**, registered **under Sections 456/294/354/354(B)/326/379/34 of IPC**, on furnishing bail bond of **Rs.20,000/- each** with **one suitable surety each** of the like amount, to the satisfaction of learned CJM, Kamrup(M), Assam.

The direction for bail is further subject to the conditions that the accused-petitioners:

(a) shall not leave the territorial jurisdiction of learned CJM, Kamrup(M), Assam, without prior written permission from him;

(b) 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 Court or to any police officer.

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

JUDGE

Comparing Assistant