

GAHC010133642023



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

Case No. : Bail Appln./2154/2023

PRASANTA RUDRA PAUL AND ANR
SON OF BONOMALI RUDRA PAUL,
RESIDENT OF JIYADHORA,
P.S. AND DIST.- KARIMGANJ, ASSAM.

2: DIPAK PAUL
SON OF LATE RAKESH PAUL

RESIDENT OF PANIBHORA

DHOLAI

DISTRICT- CACHAR
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP, ASSAM.

Advocate for the Petitioner : MR S DAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

30-06-2023

Heard Mr. S. Das, learned counsel for the petitioners and Mr. D. Das, learned Additional Public Prosecutor, Assam for the State.

By this application filed under Section 439 Cr.P.C., the petitioners, namely, **(i) Prasanta Rudra Paul** and **(ii) Dipak Paul**, are seeking bail in connection with Karimganj Police Station Case No. 386/2023 registered under Sections 120B/406/ 420/471/474 IPC with added Section 409 IPC, corresponding to G.R.Case No. 1125/2023, in which they were arrested on 19.05.2023 and since then they are in custody.

Mr. Das, learned counsel appearing on behalf of the petitioners stated that they have been wrongly implicated in the case.

Mr. Das, learned counsel for the petitioners also stated that it is well settled that the game played under IPL is purely based on skill and the petitioners were no way connected with any such betting.

It is seen that the petitioners have been arrested under suspicion that the transaction were made through the Bank account of the informant pertaining to IPL betting.

Considering the above and the period of detention of the petitioners in custody since 19.05.2023, the Court is of the view that further custodial detention of the petitioners is not warranted to investigate said Karimganj P. S. Case No. 386/2023. As such, this bail application of the petitioners, named above, is accepted.

Accordingly, the petitioners, namely, **(i) Prasanta Rudra Paul** and **(ii) Dipak Paul**, be released on bail in said Karimganj P. S. Case No. 386/2023 on furnishing a bail bond of Rs.1,00,000/- each with 2 (two) local sureties each of the like amount, one of which shall be a Government Employee (either Central or State Government), to the satisfaction of the learned Chief Judicial Magistrate, Karimganj, on conditions that the petitioners shall — (i) appear before the concerned

Investigating Officer of said Karimganj P. S. Case No. 386/2023 as and when they are required for necessary investigation of the case; (ii) not leave the territorial jurisdiction of said Karimganj Police Station, without obtaining prior written permission from the concerned Investigating Officer of said Karimganj P. S. Case No. 386/2023; (iii) not hamper with the investigation, or tamper with the evidence of the case and (iv) not, directly or indirectly, make any inducement, threat to anyone of the family members of the complainant or promise to any person acquainted with the facts of the case so as to dissuade her/him from disclosing such facts to the Court or to any police officer.

Any violation of any of the aforesaid terms and conditions by either the petitioners, namely, Prasanta Rudra Paul and Dipak Paul jointly or by individually, the bail granted to them in said Karimganj P. S. Case No. 386/2023 shall stand automatically vacated.

This bail application of the petitioners stands allowed to the extent above.

JUDGE

Comparing Assistant