

GAHC010140512023



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

Case No. : Bail Appln./2267/2023

RAMESH KUMAR RANAPHELI
S/O- LATE NANDA KUMAR RANAPHELI, R/O- GALAXY SOCIETY, H/NO.
D, 6TH FLOOR, VILL.- BHAULAGURI, P.O., P.S. AND DIST. BONGAIGAON,
ASSAM

VERSUS

CENTRAL BUREAU OF INVESTIGATION (CBI), ASSAM, GUWAHATI
REPRESENTED BY ITS STANDING COUNSEL, CBI

Advocate for the Petitioner : MR. M K SAH

Advocate for the Respondent : MR. N HALOI, SPL. PP, CBI

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 13-07-2023

Heard Mr. M.K. Sah, learned counsel for the petitioner.

Also heard Mr. N. Haloi, learned Special Public Prosecutor for CBI and Mr.B. Gogoi, learned Additional Public Prosecutor for the State of Assam.

By this application under section 439 Cr.P.C., the petitioner namely, Ramesh

Kumar Ranapaheli, is praying for regular bail, in connection with PS CBI ACB Guwahati FIR No. RC0172023A0007, under section 120(B) of IPC read with section 7 of the Prevention of Corruption Act, 1988. The petitioner was arrested on 21.05.2023.

The learned Additional Public Prosecutor for the State has produced the case diary and opposed the bail prayer on the ground that the petitioner was caught red-handed while collecting Rs.6000/- as bribe from a co-railway staff for regularizing her leave and accordingly, it is submitted that there is sufficient incriminating materials against the petitioner.

The case diary produce by the learned APP discloses sufficient incriminating materials against the petitioner. However considering the length of detention of the of the petitioner, i.e 52 days this Court is inclined to hold that further custodial interrogation of the petitioner may not be necessary for further investigation of the case.

Accordingly, this Court is inclined to release the petitioner namely, Ramesh Kumar Ranapaheli on bail on furnishing a bail bond of Rs.40,000/- (Rupees Forty Thousand) with one suitable surety of like amount, to the satisfaction of the learned Special Judge, CBI, Assam in connection with PS CBI ACB Guwahati FIR No. RC0172023A0007, under section 120(B) of IPC read with section 7 of the Prevention of Corruption Act, 1988. The bail is granted on the following conditions:

- (i) The petitioner shall make himself available to the police or any other investigating agency or Court in the present case as and when required.
- (ii) The 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 Court or to any police officer or temper with the evidence. He shall not, in any manner, try to overawe or influence or intimidate the prosecution witness.

(iii) The petitioner shall not obstruct the smooth progress of the investigation/trial.

(iv) The petitioner shall not misuse his liberty in any manner.

(v) The petitioner shall appear before the I.O within 15 days from the date of his release and he shall continue to appear till his appearance is dispensed with or charge-sheet is filed, whichever is earlier.

(vi) If the petitioner is found involved in any kind of such offence, it would be open to the I.O to apply the jurisdictional Court for cancellation of the bail of the petitioner.

With the observations made above, the bail application stands disposed of.

JUDGE

Comparing Assistant