

GAHC010149552023



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

**Case No. : AB/2427/2023**

DHANANJAY DAS  
S/O. LT. AKSHAY KUMAR DAS, R/O. VILL. DHARAMTALA, P.O.  
BAMUNKUCHI, P.S. PATACHARKUCHI, DIST. BARPETA, ASSAM.

VERSUS

THE STATE OF ASSAM  
REP. BY PP, ASSAM.

**Advocate for the Petitioner : MR. S BORA**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**Date : 31.07.2023**

Heard Mr. S. Bora, learned counsel for the petitioner. Also heard Mr. K.K. Das, learned Additional Public Prosecutor for the State/respondent.

This is an application filed under **Section 438 Cr.P.C.**, praying for pre-arrest bail by the petitioner, namely, **Dhananjay Das**, in connection with

**Patacharkuchi Police Station Case No. 290/23** registered **under Sections 294/341/326/307/506 IPC.**

The learned counsel for the petitioner has submitted that the allegation against the petitioner is that while the informant and her daughter were riding in a scooty then the petitioner obstructed them and threw a bicycle as a result of which, they fell down and sustained simple injury on their person. It is also submitted that the petitioner did not assault them with any sharp weapon as stated in the FIR. Therefore, the prayer of the petitioner may be considered.

On the other hand, Mr. Das, learned Addl.P.P. has submitted that one injury report is available in the record. It is also submitted that the informant and her daughter sustained simple injury caused by blunt object.

I have considered the submissions made by the learned counsel for the parties. I have also perused the case diary.

On perusal of injury report, it appears that the informant sustained injury on her index finger and her daughter received one linear cut injury on right forearm extending to right elbow and another cut injury sustained in left mid thigh. Doctor opined that the injuries sustained by the informant and her daughter are simple in nature, caused by blunt object.

Considering the facts as well as the materials available in the case diary, this Court is of the view that custodial interrogation of the petitioner is not required, therefore, he is granted the privilege of pre-arrest bail.

Accordingly, it is provided that in the event of arrest of the petitioner above named, in connection with **Patacharkuchi Police Station Case No. 290/23** registered **under Sections 294/341/326/307/506 IPC**, he shall be released on furnishing bail bond of **Rs.20,000/-**, with **a suitable surety** of

the like amount, to the satisfaction of the arresting authority.

The direction for pre-arrest bail is subject to the conditions that the petitioner:

(a) shall appear before the Investigating Police Officer of concerned Police Station, within ten days from today and shall co-operate with the investigation;

(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.

The anticipatory bail application stands disposed of accordingly.

Return the case diary.

**JUDGE**

**Comparing Assistant**