GAHC040004732024

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

Case No. : AB/68/2024

Chow Sihana Chautang
Son of Chow Kengkham Chautang, Namsai Near Post Office, PO Namsai, District Namsai, Arunachal Pradesh

VERSUS

The State of AP
represented by the PP

Advocate for the Petitioner : D K Deori

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 25-04-2024

Heard Mr. D. K. Deori, the learned counsel for the petitioner. Also heard Mr. G. Tado, the learned Additional Public Prosecutor for the State respondent.

2. This is an application filed under Section 438 of the Cr.P.C.,1973 for grant of pre-arrest bail to Chow Sihana Chautang, who was apprehending arrest in connection with Namsai P.S. Case No. 26/2024, under Sections 325/395/427/506 of IPC.

3. The case diary as called for is placed before this Court.

4. Pertinent to mention that by an order dated 12.04.2024, this Court granted privilege of interim pre-arrest bail to the petitioner subject to conditions.

5. Mr. G. Tado, the learned Additional Public Prosecutor submits that the petitioner had appeared before the Investigating Officer as per the order of this Court passed earlier and his statement has been recorded by the Investigating Officer under Section 161 Cr.P.C. He further submits that the petitioner is cooperating with the investigation. He further submits that there are no incriminating materials collected by the Investigating Officer against the applicant at this stage.

6. In view of the above, this Court is of the considered view that custodial interrogation of the petitioner may not be necessary for the ongoing investigation. Accordingly, the interim pre-arrest bail granted by this Court earlier by order dated 12.04.2024, is hereby made absolute, subject of course to the following conditions:

1) That the accused applicant shall cooperate with the investigation and appear before the IO as and when called for;

2) That the accused applicant 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/her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

3) That he shall not commit an offence similar to the offence of which he is accused, or suspected of commission.

With the aforesaid observation and directions, this anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant