

GAHC010000852024



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

Case No. : AB/25/2024

UTTAM CHANDRA DAS
SECY . HARIMURA GAON PANCHAYAT, S/O- LATE NAGENDRA DAS ,
R/O- VILLAGE GOALPARA TOWN, NEAR DC OFFICE GOALPARA, P.S-
GOALPARA, DIST- GOALPARA, ASSAM

VERSUS

THE STATE OF ASSAM
REPLY BY THE ADDL. PUBLIC PROSECUTOR , ASSAM

Advocate for the Petitioner : MR H DAS, D BARUAH, MR. B C DEKA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 10.09.2024

- 1.** Heard Mr. H. Das, learned counsel for the petitioner. Also heard Mr. K. K. Parasar, learned Additional Public Prosecutor for the State respondent.
- 2.** Learned counsel for the petitioner has submitted that the petitioner was granted interim bail by this Court on 19.01.2024 and thereafter, in pursuant

to directions of this Court, he appeared before the Investigating Officer on 22.01.2024 and has cooperated in the investigation.

3. However, Mr. K. K. Parasar, learned Additional Public Prosecutor has produced the case diary of Mornoi Police Station Case No.21/2023 and has submitted that there is no endorsement in the case diary regarding appearance of the petitioner before the Investigating Officer.

4. Learned Additional Public Prosecutor has also submitted that he has telephonically contacted the present Investigating Officer, who is also the Officer-in-Charge of the Mornoi Police Station.

5. It is submitted that the present Investigating Officer has informed that the earlier Investigating Officer has been changed and the present Investigating Officer has written a letter to him through the concerned Superintendent of Police to hand over the bail bond, if any, as well as statement of the petitioner, if recorded, to him.

6. Under the above circumstances, this Court is of considered opinion that the interim bail granted to the petitioner on 19.01.2024 may be made absolute with following conditions:

- i.** The petitioner shall appear before the Investigating Officer of Mornoi Police Station Case No.21/2023 within a period of 15 days from the date of this order;
- ii.** That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person who may be acquainted with the facts of the case, so as to dissuade such person from disclosing such facts of the case before the Investigating Officer.

7. With the above observation, this anticipatory bail application is hereby disposed of.

JUDGE

Comparing Assistant