

GAHC010003832024



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

Case No. : Bail Appln./107/2024

BHASKAR DIHINGIA
S/O SHRI LEKAN DIHINGIA
R/O VILL- BORDOLONI DIHINGIA GAON,
P.S. GOGAMUKH
DIST. DHEMAJI, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR S P DAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

02.02.2024

Heard Mr. S.P. Das, learned counsel for the petitioner. Also heard Mr. K.K. Das, learned Addl. Public Prosecutor, appearing for the State of Assam.

This is an application under Section 439 of the Code of Criminal

Procedure, 1973 for granting of regular bail to the accused / petitioner, namely, Shri Bhaskar Dihingia, who was arrested on 29.12.2023 in connection with Dhakuakhana P.S. Case No. 148/2023 registered under Sections 306 / 34 of the IPC arising out of First Information Report lodged by the informant.

The allegations in the FIR is that the accused / petitioner has not paid the salary of the informant deceased husband for the last 23 months and has also threaten her with dire consequences.

The Case Diary called for has been received.

Mr. K.K. Das, learned Addl. Public Prosecutor, fairly submits on the basis of the materials available in the Case Diary that though the informant has alleged that the arrear salaries has not been paid, it appears from the account of the deceased husband that the said arrear salary have already been paid.

I have considered the submissions made at the bar and have perused the materials available on record. It appears that the petitioner has been languishing in jail since last 35 days. As such there is no justification in keeping the petitioner under further detention.

For the aforesaid reasons, the petitioner namely, Shri Bhaskar Dihingia is allowed to go on bail of Rs. 30000/- (Rupees Thirty Thousand) with one surety of like amount to the satisfaction of the learned SDJM(M), Dhakuakhana subject to following conditions.

(i) That the petitioner shall cooperate with the investigation.

(ii) The petitioner shall not directly or

indirectly make any inducement, threat or promise to any person acquainted with the facts of this case so as to dissuade such person from disclosing such facts to the Court or to the any Police Officer.

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

Return the Case Diary.

JUDGE

Comparing Assistant