

GAHC010004212024



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

Case No. : Bail Appln./96/2024

HONDOR SING TERANG
S/O LATE RISO TERANG,
R/O DOOKMOKA MOHANMAY SIKARI
RONGHANG GAON,
P.O. AND P.S. DOOKMOKA, IN THE DISTRICT OF KARBI ANGLONG, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR G N SAHEWALLA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI
O R D E R

22.01.2024

1. Heard Mr. G.N. Sahewalla, learned Senior Counsel assisted by Mr. H.K. Sarma, learned counsel for the petitioner. Also heard Mr. D. Das, learned Addl. P.P. for the State respondent.
2. This is an application filed under Section 439 Cr.P.C. praying for granting regular bail to the petitioner, **Hondor Sing Terang**, who was arrested on 27.12.2023 in connection with **Crime Branch P.S. Case No. 08/2023**, registered under Sections **120(B)/420/ 468/471/409/447 IPC**.
3. The case of the prosecution is that one Bhupen Kr. Das have lodged an FIR before the Commissioner of Police, Guwahati on 28.11.2023 stating, *inter-alia*, that he is the recorded pattader of a plot of land measuring 2 katha and 2 lechas covered by Dag No. 2445 of K.P. 1496 at Panjabari, Bagharbari Main Road, under village- Satgaon, Mouza- Beltola, District-Kamrup (metro) and that he had inherited the said plot of land after the death of his mother namely, Late Labanya Bala Das.
4. It is alleged that one Jagyeswar Nath had managed to get the said plot of land mutated in his name by creating false and forged document with the help of the Lot Mandal of the concerned Revenue circle.
5. Mr. Sahewalla, learned Senior Counsel for the petitioner submits that the

petitioner, who is a Lot Mandal has nothing to do with the facts of the instant case and he is not posted at the Revenue Circle of which the case relates to.

6. Mr. Das, learned Addl. P.P. fairly submits on the basis of the case diary that the petitioner though was present at the concerned revenue circle as a Lot Mandal but before preparation of the report, he was transferred out and the case was entrusted to his incumbent.

7. Heard the submissions made by the parties and also perused the materials on record including the case diary.

8. It appears from the materials on record that the petitioner has nothing to do with the case in hand and that he was already transferred out of the concerned revenue circle before the preparation of the report. Accordingly, this Court is of the opinion that he is entitled to go on bail.

9. Considering all aspects, the petitioner namely **Hondor Sing Terang** is allowed to go on bail in connection with the above noted case on furnishing bail bond of **Rs.30,000/- (Rupees Thirty Thousand) only** with one surety of like amount to the satisfaction of the learned **CJM, Kamrup (M), Guwahati**.

10. The bail granted to the petitioner shall be subject to the following conditions-

- i) The petitioner shall co-operate 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 any Police Officer;
- iii) The petitioner shall not leave the territorial jurisdiction of the trial Court

without prior permission till completion of the trial; and

iv) The petitioner shall refrain from such activities with which he is alleged, failing which, bail orders shall stand cancelled.

11. With the above observation, this bail application stands allowed.

12. This disposes of the bail application.

Send back the case diary.

JUDGE

Comparing Assistant