

GAHC010016012024



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

Case No. : AB/214/2024

HENNA BEGUM
W/O NAZRUL ISLAM,
VILL BAHABARI, PS KHARUPETIA, DIST DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM
Rep BY PP, ASSAM

Advocate for the Petitioner : MS F INTAZ

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

19.02.2024

Heard Mr. M. Hussain, learned counsel for the petitioner. Also heard Mr. K. K. Das, learned Addl. Public Prosecutor for the State/respondent.

By this petition filed under Section 438 Cr.P.C., the petitioner, namely, **Henna Begum**, has prayed for granting pre-arrest bail, apprehending her arrest in connection with **Kharupetia P.S. Case No. 06/2024** under Sections

341 /342/325/307/384/34 of the IPC.

The Case diary, as called for, is placed before the Court.

It may be mentioned that by order, dated 01.02.2024, this Court granted the privilege of interim pre-arrest bail to the petitioner subject to conditions.

Mr. K. K. Das, learned Addl. Public Prosecutor, submits that the case diary shows that the petitioner appeared before the Investigating Officer and got her statement recorded under Section 161 Cr.P.C. in terms of the interim pre-arrest bail granted earlier. Accordingly, he submits that custodial interrogation of the petitioner may not be necessary in the interest of the ongoing investigation into the case.

Considering the submissions made by the learned counsel for both sides and materials in the case diary, I find that custodial interrogation is not necessary in this case and here I find it a fit case to extend the privilege of pre-arrest bail to the accused/petitioner.

Accordingly, the interim pre-arrest bail granted vide order, dated 01.02.2024 is hereby made absolute, subject to the following conditions-

- (i) That the petitioner shall co-operate in investigation as and when required; and
- (ii) That the petitioner 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.

Return the case diary.

This disposes off the anticipatory bail application.

JUDGE

Comparing Assistant