

GAHC010026042024



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

Case No. : Bail Appln./424/2024

DHIRAJ PATGIRI
S/O LATE TARAK PATGIRI
R/O VILL- BHOTANTA MOHITARA
P.S. PATHSALA
DIST. BAJALI, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. S BORA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

15.03.2024

Heard Mr. S. Bora, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Addl. P.P, Assam for the State respondent.

This is an application under Section 439 of the Cr.PC, 1973 for granting

bail to the petitioner, i.e., Dhiraj Patgiri, who was arrested on 15.01.2024 in connection with Pathsala P.S. Case No. 09/2024 registered under Sections 302/34 of IPC.

The facts of the case is that on 14.01.2024, an FIR was lodged by the informant alleging inter alia that his son-in-law, i.e., the petitioner has killed his wife/daughter and tied her on a Mango tree by hanging her with urna (chunni).

The PM report called for is placed before this Court.

Mr. S. Bora, learned counsel for the petitioner submits that the petitioner has been languishing in jail since last 58 days and he is totally innocent.

Mr. P. Borthakur, learned Addl. P.P submits that the PM report indicates that the cause of death is Asphyxia and venous congestion as a result of antemortem hanging, which was suicide in nature.

I have heard the submissions made at the bar and have perused the materials available on record.

Considering the length of detention, this Court is of the considered view that further detention of the petitioner is not justified.

Accordingly, it is provided that the petitioner named above shall be released on bail in connection with the above noted case with a bail bond of Rs. 30,000/- with one surety of like amount to the satisfaction of the learned CJM, Bajali, Pathsala, subject to the following conditions:-

- (i) That the petitioner shall co-operate with the investigation.

- (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; and
- (iii) That the petitioner shall refrain from committing any similar offence in future of which he is accused or suspected of commission.

With the above observation and direction, the Bail Application stands disposed of.

Return the Case Diary.

JUDGE

Comparing Assistant