

GAHC010026222023



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

Case No. : AB/380/2023

BITUPAN DAS AND 2 ORS.
S/O LATE NAREN DAS, R/O VILL-KACHALUKHOWA, P.S.-NAGAON SADAR,
DIST-NAGAON, ASSAM, PIN-782001

2: RITUPAN KALITA
S/O BANESHWAR KALITA
R/O JYOTI NAGAR
BAMUNIMAIDAM
P.S.-CHANDMARI
GUWAHATI
DIST-KAMRUP (M)
ASSAM

3: TIRTHA PRATIM DAS
S/O LATE CHAKRADHAR DAS
R/O VILL-AMOLAPATTY
B.P. ROAD
P.S.-NAGAON SADAR
DIST-NAGAON
ASSAM
PIN-78200

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A CHAUDHURY

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 05.01.2024

Heard Mr. N Mahajan, learned Counsel for the petitioners and Mr. B.B.Gogoi, learned Addl.Public prosecutor for the State respondent. Also heard Mr. A Ganguly, learned counsel for the informant.

By this petition under Section 438 Cr.P.C., the petitioners, namely, **1.Bitupan Das, 2. Ritupan Kalita, 3. Tirtha Pratim Das** have prayed for pre-arrest bail apprehending arrest in connection with **Geetanagar PS Case No. 28/2023** under Sections 326/307/392/34/120B/294/506 of the IPC.

Case diary is received.

Mr. N Mahajan, learned Counsel for the petitioners submits that in terms of the conditions of the interim pre-arrest bail granted to the petitioners vide order, dated 08.02.2023, the petitioners have appeared before the I.O. and got their statements recorded under Section 161 Cr.P.C.

On perusal of the case diary, it is seen that the petitioners are co-operating in the investigation and there is no adverse report against them from the I.O.. The case diary reveals no justifiable reason for custodial interrogation of the petitioners in the interest of further investigation of the case.

In view of above, the interim anticipatory bail granted in favour of the petitioners named above, vide order, dated **08.02.2023**, is hereby made absolute, subject to the conditions (i) that the petitioners shall appear before the I.O. as and when required for the purpose of investigation; (ii) that the petitioners shall not hamper or tamper with the investigation in any manner.

With the above directions, the anticipatory bail application stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant