

GAHC010026452024



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

Case No. : Bail Appln./384/2024

PRANJAL DAS
S/O SRI BABUL DAS
R/O SEWALI PATH,
WARD NO. 9,
RANGIA, P.S. RANGIA,
DIST. KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
TO BE REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR K UDDIN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

06.03.2024

Heard Mr. A.K. Azad, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Addl. P.P, Assam.

This is an application under Section 439 of Cr.PC, 1973 for granting regular bail to the petitioner, namely Pranjali Das, who was arrested on 18.01.2024 in connection with Baihata Chariali P.S Case No. 397/2023 (GR-1367/23) registered under Sections 353/394/224/332 of IPC.

The case of the prosecution is that the petitioner was taken into custody in order to interrogate him in connection with some ULFA activity. Thereafter, while he was being moved to Sipajhar to apprehend another accused in the Govt. vehicle, the petitioner, after making an excuse to attend nature's call, managed to escape from the Police custody by attacking one of the Police Officer and also by snatching his rifle. Accordingly, a case was registered.

Mr. A.K. Azad, learned counsel for the petitioner submits that the petitioner is totally innocent and has been wrongly implicated in the matter.

Mr. P. Borthakur, learned Addl. P.P, Assam on the other hand strongly opposes the prayer for bail.

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

It appears that initially the petitioner was taken into custody in respect of another case concerning the activities of ULFA. It further appears that the petitioner tried to escape from the custody of the Police.

In view of the above, this Court is of the considered view that further detention of the petitioner is not necessary.

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

- (i) That the petitioner shall appear before the Investigating Officer.
- (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 offences 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