

GAHC010029962024



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

Case No. : AB/358/2024

MOHAN SONOWAL
S/O- LATE LAMBESWAR SONOWAL, R/O- VILL.- ARAGAON, P.O. TALAP, P.S.
DOOMDOOMA, DIST. TINSUKIA, ASSAM, PIN- 786156.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P., ASSAM

Advocate for the Petitioner : MR. T DEURI

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 02.04.2024

Heard Mr. T.Deuri, learned counsel for the petitioner. Also heard Mr. B.B.Gogoi, learned Addl. Public Prosecutor for the State/respondent.

By this petition filed under Section 438 Cr.P.C., the petitioner, namely, **Mohan Sonowal** has prayed for granting pre-arrest bail, apprehending arrest in connection with **Bureau of Investigation (Economic Offences) P.S. Case No.21/2023** under Section

120B/379/411/119 of the IP r/w Section 35/41 of the Assam Forest Regulation.

The case diary is placed before the court.

It is submitted by learned counsel for the petitioner that the petitioner runs timber business in Tinsukia and while conducting preliminary enquiry by the forest authority, the same were not found to be illegal. In support of the fact, the petitioner has submitted one licence for renewal time to time and in connection with the same, the I.O. had issued notice under Section 41-A of CrPC to the petitioner to appear before the I.O. and as such, the petitioner is apprehending arrest.

On prusal of the case diary, it appears that the petitioner has another saw mill in Arunachal Pradesh besides timber business in the State of Assam. Besides, these, it reveals that documents relating to business of the petitioner were not up-to date. Hence, notice under Section 41-A of CrPC was issued to appear before the I.O.

In the backdrop of facts as emerged from the case diary, this Court finds it not expedient for custodial interrogation of the petitioner.

In view of above, the prayer for anticipatory bail is hereby granted.

It is provided that in the event of arrest of the petitioner, named above, he shall be released on **pre-arrest bail**, in connection with the above noted case on furnishing bail bond of **Rs.10,000/- (Ten Thousand)** with one surety of like amount to the satisfaction of the arresting authority, subject, of course, to the following conditions:

- (i) That the petitioner shall appear before the Investigating Officer within 10 days from today;
- (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/her from disclosing such facts to the Court or to any police officer.

Return the case diary.

This disposes of the anticipatory bail application.

JUDGE

Comparing Assistant