

GAHC010026222023



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

AB/436/2023

UTPAL DAS AND ANR.
S/O PRADIP DAS R/O NIZ SINDURIGHOPA P.S KAMALPUR DIST. KAMRUP
ASSAM

2: SUBHAS CHAUHAN
S/O RAM NARAYAN CHAUHAN R/O BIRUBARI PROFESSOR COLONY
GOPINATH NAGAR P.S DISPUR GUWAHATI DIST. KAMRUP M ASSAM
VERSUS

THE STATE OF ASSAM
REP. BY THE PP
ASSAM

Advocate for : MR. A CHAUDHURY
Advocate for : PP
ASSAM appearing for THE STATE OF 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.

By this petition under Section 438 Cr.P.C., the petitioners, namely, **1.Utpal Das, 2. Subhas Chauhan** 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 15.02.2023, 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 **15.02.2023**, 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