

GAHC010031792023



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

Case No. : AB/472/2023

JINTU GOGOI AND ANR.
S/O SRI KOILASH CH. GOGOI
R/O JHANJI LEPHERAGAON (NEAR JHANJI LEPHERA L.P. SCHOOL)
P.O. JHANJI
MOUZA- MORA BAZAR
P.S. GAURISAGAR
DIST. SIVASAGAR, ASSAM

2: SRI LAKSHI SAIKIA
S/O LATE NOBIN SAIKIA
R/O JHANJI BORUAH
GAON

P.O. JHANI
MOUZA- MORA BAZAR
P.S. GAURISAGAR
DIST. SIVASAGAR
ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A BHATTACHARYYA,

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 08.08.2024

Heard Mr. A. Bhattacharyya, learned counsel for the petitioners. Also heard Mr. D.P.Goswami, learned Additional Public Prosecutor for the State respondent.

By filing this application under Section 438 CrPC, the petitioners, namely, **(1) Jintu Gogoi and (2) Lakhshi Saikia** who are apprehending arrest in connection with **Jorhat P.S. case no. 23/2023** under section 379 of the IPC read with section 3 of PDPP Act and section 23 of Petroleum Act, 1934, are seeking pre-arrest bail.

The Case diary, as called for, is placed before the Court.

It may be mentioned that by order, dated 17.02.2023, this Court granted the privilege of interim pre-arrest bail to the petitioners.

Mr. B.Sharma, learned Addl. Public Prosecutor, submits that the case diary shows that the petitioners appeared before the investigating officer and got their statements recorded under Section 161 Cr.P.C. as per the interim pre arrest bail granted earlier. There is no adverse report against the petitioners from the I.O.

Therefore, the interim pre-arrest bail granted vide order, dated 17.02.2023 is hereby made absolute, subject to the following conditions-

- (i) That the petitioners shall co-operate in investigation as and

when required;

(ii) That the petitioners 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 petitioners shall not hamper or tamper with the investigation in any manner.

Return the case diary.

This disposes of the anticipatory bail application.

JUDGE

Comparing Assistant