

GAHC010034282024



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

Case No. : AB/414/2024

SUNNY DAS
S/O SONESWAR DAS
R/O IDEAL HILL VIEW APARTMENT,
PATHAR QUARRY, NEAR SATGAON TRAFFIC POLICE POINT, GUWAHATI-
26, P.O. SATGAON, DIST. KAMRUP (M)

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : DR P C MAZUMDAR

Advocate for the Respondent : PP, ASSAM

B E F O R E
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI
ORDER

19.03.2024

Heard Dr. P.C. Mazumdar, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned APP for the State respondent.

This is an application under Section 438 of CrPC, 1973 for grant of pre arrest bail to the petitioner i.e. Sunny Das, who is apprehending arrest in connection with Dispur PS Case No. 2313/2023 registered under Sections 341/323/325/326/427/34 of the IPC.

Pertinent to mention that vide Order dated 21.02.2024, this Court granted the privilege of interim pre-arrest bail to the petitioner subject to conditions.

The Case Diary called for is placed before this Court.

Mr. P. Borthakur, learned APP, Assam submits that the petitioner has appeared before the Investigating Officer in terms of the Order dated 21.02.2024. He further submits that the statement of the petitioner has been recorded by the Investigating Officer under Section 161 CrPC. He further submits that as per the injury Report available in the Case Diary, the injury appears to be grievous in nature.

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

It appears that the investigation has substantially progressed. It further appears that the petitioner has cooperated with the investigation.

Considering the above, this Court is of the opinion that further custodial interrogation of the petitioner may not be necessary for the ongoing investigation. Accordingly, the interim pre-arrest bail granted by this Court vide Order dated 21.02.2024 is hereby made absolute subject to the following conditions:-

i) That the petitioners shall fully cooperate with the investigation of the case and shall appear before the Investigating officer as and when required in connection with the investigation of the aforesaid PS Case; and

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.

With the above observations and directions, the Anticipatory Bail Application stands disposed of.

JUDGE

Comparing Assistant