

GAHC010049112024



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

Case No. : AB/600/2024

KASHYAP PATHAK
S/O MAHANANDA PATHAK, R/O MOUTPURI GAON, P.O.-HAWLY, P.S.-
HAWLY, DIST- BARPETA AND P/R/A SHIVA PATH, H/N 01, NEAR PROVINCE
COLLEGE, P.S.-DISPUR, KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR B CHOUDHURY, MR. I BORTHAKUR, MS. M KALITA, MR.
D GOGOI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

06.09.2024

1. Heard Mr. D. Gogoi, learned counsel for the applicant Mr. Kashyap Pathak. Also heard Mr. M. P. Goswami, learned Addl. Public Prosecutor for the State respondent.

2. Apprehending arrest in connection with Basistha P.S. Case No. 112/2024, under Sections 120B/379 of the IPC, this application under Section 438 Cr.P.C. has been preferred by the applicant, namely, Kashyap Pathak for grant of pre-arrest bail.
3. It is to be noted here that the aforementioned case has been registered on the basis of an FIR lodged by one Pranab Sharma on 21.02.2024. The essence of allegation made in the FIR dated 21.02.2024, is that on 06.02.2024, the marriage of the sister of the informant was solemnized and on 07.02.2024. A reception party was held at Abhay Grandiose and on that day, two makeup artists were requisitioned and a box with ornaments of gold worth of Rs. 2,00,000/- was in the makeup room. But, later on, the same was found to be missing and he suspects that the makeup artists are involved in the same.
4. Mr. Gogoi, learned counsel for the applicant submits that the applicant Kashyap Pathak was one of the makeup artists in the marriage reception party of the informant's sister, and that he is innocent and in no way involved with the offence alleged in the FIR and the informant suspects the involvement of the present applicant with the offence, and that the applicant is ready to cooperate with the investigating agency and therefore, it is contended to allow the application.
5. I have considered the submissions at the Bar with circumspection.
6. I have scrutinized the Case Diary. The petitioner has appeared before the Investigating Officer and his statements have been recorded.
7. The petitioner has co-operated with the investigation and he has not violated any bail conditions. The petitioner has pledged to co-operate with the remaining part of investigation and to abide by any stringent bail conditions, if

imposed upon him.

8. Considering all aspects, interim order dated 06.03.2024 is hereby made absolute under the same terms and conditions.

9. Send back the Case diary.

JUDGE

Comparing Assistant