

GAHC010069732024



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

Case No. : Bail Appln./976/2024

SMTI. MOONMOON SEN
DAUGHTER OF KAJAL CHANDRA SEN, RESIDENT OF BISHNUPUR, P.O.
RAJABARI, PS LICHUBARI, DIST. JORHAT, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. D KALITA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

24.04.2024

Heard Mr. D. Borah, learned counsel appearing for the accused petitioner as well as Mr. R. J. Baruah, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Smti. Moonmoon Sen**, has prayed for grant of bail in connection with **ACB P.S. Case**

No.23/2024 under Sections **7(a) of P.C. Act.**

It is submitted by the learned counsel for the petitioner that the petitioner is detained in judicial custody for last 41 days since her arrest i.e. on 14.03.2024. Due to her arrest in connection with this case, she was under suspension. It is further submitted that the allegation against the petitioner is that she demanded Rs.2000/- from the informant and after arrest of the petitioner, the police has sought custody for three days. Learned counsel for the petitioner, therefore, prayed that considering the length of detention, bail prayer of the petitioner may be considered.

Mr. R. J. Baruah, learned Additional Public Prosecutor has submitted that case diary is received without the FSL report. He has further submitted that sufficient incriminating material is available in the case diary against the petitioner. Learned Additional Public Prosecutor has also submitted that investigation is not completed as the FSL report regarding the conversation of the petitioner with the informant is not received and vehemently objected the bail prayer of the petitioner.

In view of the submission of learned counsel for both the parties and considering the fact that the petitioner is a women as well as considering the length of detention, this Court is of the view that further custodial interrogation of the accused-petitioner is not necessary in the interest of investigation of the case.

Accordingly, the petitioner, named above, shall be released on bail, on furnishing bail bond of **Rs.50,000/-** with **one suitable surety** of the like amount, to the satisfaction of learned **Special Judge, Assam, Guwahati**.

The direction for bail is further subject to the conditions that the petitioner:

- (a) shall not leave the territorial jurisdiction of learned Special Judge, Assam, Guwahati without prior written permission from him/her;
- (b) shall not hamper with the investigation, or tamper with the evidence of the

case;

(c) 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.

In terms of the above, this bail application stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant