

GAHC010092572024



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

AB/1117/2024

MANAB HANDIQUE AND ANR.
S/OLT. SUNIT HANDIQUE
R/O PURANA AMULAPATTY
P.S. GOLAGHAT

DIST. GOLAGHAT
ASSAM

2: RUPAK HANDIQUE @ AKONTI HANDIQUE
S/O LT. SUNIT HANDIQUE
R/O PURANA AMULAPATTY
P.S. GOLAGHAT

DIST. GOLAGHAT
ASSAM
VERSUS

THE STATE OF ASSAM
REP. BY THE PP
ASSAM

Advocate for : MR. T J MAHANTA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 01.08.2024

Heard Mr. T.J.Mahanta, learned Senior counsel assisted by Mr. A.Borua, learned counsel for the petitioners. Also heard Mr. R.J.Baruah, learned Additional Public Prosecutor for the State.

This is an application filed under Section 438 Cr.P.C., praying for pre-arrest bail by the petitioners, namely, **Manab Handique** and **Rupak Handique @ Akonti Handique**, in connection with Golaghat P.S. Case No. 75/2024, registered under Section 120(B)/328/336/418/420 of IPC, R/W Section 53(1)(a) (b)(c)(d)(e) of the Assam Excise Act, 2000(G.R. No. 174/2024).

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

It may be mentioned that by order, dated 01.05.2024, this Court granted the privilege of interim pre-arrest bail to the petitioners.

Mr. R.J.Baruah, 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 01.05.2024 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