

GAHC010085712024



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

Case No. : AB/1110/2024

PRIYABRAT HAZARIKA AND ANR.
S/O LATE LATE PROMOD HAZARIKA,
R/O ALL INDIA RADIO CAMPUS, P.O. AND P.S. CHANDMARI, DIST.
KAMRUP (M), ASSAM.

2: MRS. KSHETRIMAYUM BONILA DEVI HAZARIKA
W/O MR. PRIYABRAT HAZARIKA
R/O ALL INDIA RADIO CAMPUS
P.O. AND P.S. CHANDMARI
DIST. KAMRUP(M)
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. T J MAHANTA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 05-06-2024

Heard Mr. T.J. Mahanta, learned senior counsel for the petitioner and Mr. B Sarma learned Addl. PP, Assam.

By this application under Section 438 Cr.P.C., the petitioners,

namely, **1. Priyabrat Hazarika & 2. Mrs. Kshetrimayum Bonila Devi Hazarika** have prayed for pre arrest bail who are apprehending arrest in connection with **Chandmari PS Case No.100/2024** under sections **406/420 IPC** corresponding to GR Case No.2273/2024.

Case diary called for is received and perused.

This court vide order dated 30.04.2024 granted interim bail to the petitioners while calling for the case diary.

The case diary is received. Perused the same.

From the materials available on record, it is seen that the petitioners have fully cooperated with the investigation and their statements were also recorded.

The materials so far collected by the investigating officer against the above named petitioners, in the considered opinion of this court, do no warrant custodial interrogation of the petitioners in this case inasmuch as the petitioners had co-operated with the investigating authority and there is no allegation that they tried to hamper and tamper with the investigation.

Therefore, in the totality of the matter, the interim protection granted under order dated 30.04.2024 is made absolute with the same terms and conditions.

The pre-arrest bail application stands disposed off.

Send back the case diary.

JUDGE