

GAHC010086482024



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

Case No. : Bail Appln./1267/2024

SMTI. AROTI URANG @ GADHULI URANG AND ANR.
W/O LATE SUNIL URANG
VILL- CHAKHURA,P.S. KHETRI
DIST. KAMRUP (M), ASSAM
PIN CODE- 782403.

2: MAINU URANG @ SEEMA URANG
D/O LATE SUNIL URANG

VILL- CHAKHURA
P.S. KHETRI
DIST. KAMRUP (M)
ASSAM

PIN CODE-78240

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR R ISLAM

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 09.05.2024

Heard Mr. R. Islam, learned counsel for the petitioners. Also heard Mr. B. Sharma, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 439 of the Code of Criminal Procedure, 1973, praying for grant of bail to the accused/petitioners, who have been arrested in connection with Khetri P.S. Case No. 36/2024, under Sections 302/34 of the Indian Penal Code.

Case Diary has not yet been received, though it was called for vide order dated 02.05.2024.

It is submitted by Mr. R. Islam, learned counsel for the petitioners, that the accused/petitioner Nos. 1 & 2 are the mother-in-law and sister-in-law, respectively, of the deceased and they are falsely implicated in this case only for the reason that they are the mother and sister of the husband of the deceased. But, from the forwarding report, it is seen that the allegation is brought only against the husband of the deceased, who used to suspect her about her illicit relationship with other person. Further, as per the forwarding report, the husband of the deceased killed her in a planned manner. But there is no any ground of arrest of the present accused/petitioners nor there is any statement made by the I.O. regarding their involvement in the alleged offence. Further he

submitted that the accused/petitioners are behind the bar since 15.03.2024 and hence, considering their length of detention, they may be enlarged on bail.

In this context, Mr. B. Sharma, learned Additional Public Prosecutor, has submitted that as the Case Diary is not available before the Court, it is difficult to say anything in regards to the involvement of the present accused/petitioners. However, he admitted that there is no statement made against the present accused/petitioners on their ground of arrest.

Considering the submissions made by the learned counsels for both sides and also considering the entire aspects of the case, viz-a-viz the materials available in the case record, I find that further custodial interrogation of the accused/petitioners seems to be not necessary here in this case as the I.O. got sufficient opportunity to interrogate the present accused/ petitioners keeping them in custody for a considerable period and hence, I find it a fit case to extend the privilege of bail to the present accused/petitioners.

Accordingly, it is provided that on furnishing a bond of Rs. 20,000/- (Rupees twenty thousand) only each with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati, the accused/petitioners, namely, (i) Smti Aroti Urang & (ii) Mainu Urang, be enlarged on bail, subject to the following conditions:

- (i) that the petitioners shall fully co-operate 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

P.S. Case;

- (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 leave the jurisdiction of the learned Chief Judicial Magistrate, Kamrup (M), Guwahati, without prior permission.

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

JUDGE

Comparing Assistant