

GAHC010088792024



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

Case No. : AB/1169/2024

SWRANG BORO @ SERANG BORO AND 4 ORS.
S/O BONDA BORO
R/O - GARUMARA, P.S - SIMLA, DIST - BAKSA, BTAD, ASSAM

2: GWSWM BORO
W/O SANJIB BORO
R/O - GARUMARA
P.S - SIMLA
DIST - BAKSA
BTAD
ASSAM

3: ALONGBAR BORO
S/O ALONGBAR LAHARY
R/O - GARUMARA
P.S - SIMLA
DIST - BAKSA
BTAD
ASSAM

4: SWAPNA BORO
S/O SANJARI BORO
R/O - GARUMARA
P.S - SIMLA
DIST - BAKSA
BTAD
ASSAM

5: GOBLA BORO
W/O PRIOJIT MUSHAHARI
R/O - GARUMARA
P.S - SIMLA
DIST - BAKSA
BTAD

ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MS. S B CHOUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

20.05.2024

This is an application under Section 438 Cr.P.C. praying for granting the privilege of pre-arrest bail to the petitioners, namely, Swrang Boro @ Serang Boro, Gwswm Boro, Alongbar Boro, Swapna Boro and Gobla Boro, who are apprehending arrest in connection with Simla Police Station Case No. 21/2024 under Section 143/147/148/149/353/332/427 IPC.

Case diary is produced today by Mr. Parasar.

FIR was lodged by ASI, Rabindra Talukdar. It is alleged, inter-alia, in the FIR that the mother of the victim telephonically informed Simla Police Station that her daughter had continuously been physically assaulted by her husband (petitioner No. 1) and out of fear she tried to flee away from the custody of her husband. On such telephonic information being received, the police party proceeded to recover the victim girl, however, the villagers, including the petitioners herein, obstructed the police in doing their duty and also physically assaulted some of them. Specific allegation has been made that entire incident was videographed and the village Headman and the victim had identified the present petitioners in commission of the offences.

Perused the case diary including the statement of the victim lady and statement of the Gaonburah and other witnesses. Their statements also corroborated the allegation made in the FIR as well as affirmed the role of the petitioners in commission of the offences. The injury report of the two police personals also suggest injury, though it is simple in nature.

Considering such incriminating material, this court is of the opinion that this is not a fit case for grant of pre-arrest bail to the petitioners.

Accordingly, the present bail application stands dismissed.

Case diary be returned back.

JUDGE

Comparing Assistant