

GAHC010099342024



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

Case No. : AB/1287/2024

SRI SIB CHARAN GUPTA @ BHOLA,
S/O LATE ATMA PRASAD GUPTA,
RESIDENT OF SHARODA ROAD, PASCHIM SRIPURIA, PS AND DIST
TINSUKIA, ASSAM 786125

2: SRI PALASH CHOWDHURY @ SANTOSH
S/O ASARFI CHOWDHURY
RESIDENT OF UDOYPUR ROAD
WEST SRIPURIA
TINSUKIA TOWN
PO AND DIST TINSUKIA
ASSAM 78612

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PUBLIC PROSECUTOR

Advocate for the Petitioner : MR D KALITA

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
ORDER

11. 06. 2024

Heard Mr. D Kalita, learned counsel for the petitioner. Also heard Mr. B Sarma, learned Additional Public Prosecutor, Assam.

By this application under Section 438 Cr.P.C., the petitioners, namely, 1. Sri Sib Charan Gupta @ Bhola, 2. Palash Chowdhury @ Santosh are seeking pre-arrest bail in Tinsukia PS case No. 122/2024 (GR No. 240/2024) under Section 120(B)/406/420 IPC read with Section 13 & 14 of Game and Betting Act (Assam), 1970.

This court vide order dated 20.05.2024 while calling for the case diary had granted interim protection to the petitioners.

Case diary produced is perused.

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 material so far collected by the investigating officer against the above named petitioners, in the considered opinion of this court, do not warrant custodial interrogation of the petitioners in this case inasmuch as the petitioners had cooperated 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 20.05.2024 is made absolute with the same terms and condition.

Bail application stands disposed of.

Send back the case diary.

JUDGE

Comparing Assistant