

GAHC010100912024



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

Case No. : AB/1316/2024

ARUNABH DWIKRONG RABHA @ ARUNABH RABHA AND ANR
S/O LATE DHIRENDRA KUMAR RABHA, OPPOSITE ANURADHA CINEMA,
NEAR RAILWAY GATE, BAMUNIMAIDAN, DIST- KAMRUP (M), GUWAHATI,
ASSAM, PIN-781021

2: SMTI. NITURANI SAIKIA
D/O PUSPADHAR SAIKIA
BOZALTOLI
NALONI HOLA
P.O.-BORGURI
TINSHUKIA
ASSAM-78612

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR S ISLAM

Advocate for the Respondent : PP, ASSAM

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

07. 06. 2024

Heard learned counsel for the parties.

By this application under Section 438 Cr.P.C., the petitioners, namely, Arunabh Dwikrong Rabha @ Sri Arunabh Rabha and Smt. Niturani Saikia are seeking pre-arrest bail in connection with Tinsukia PS case No. 625/2023 under Section 323/342/34/354/506 IPC corresponding to GR case No. 1385/2023.

This court vide order dated 24.05.2024, while calling for the case diary granted interim protection to the petitioner.

Case diary produced is perused.

From the material 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 petitioners, in the considered opinion of this court, do not warrant custodial interrogation of the petitioners in this case inasmuch as the petitioners ad 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 present bail application stands allowed. Accordingly, in the event of arrest of the petitioners above named, in connection with the case aforementioned, they shall be released on bail on furnishing bail bond of Rs.25,000/- each with a suitable surety of the like amount, to the satisfaction of arresting authority. The pre-arrest bail is granted on the following conditions:

- (1) The petitioners shall not leave the territorial jurisdiction of the aforesaid police station, without prior written permission from its officer-in-charge,
- (2) The petitioners shall not hamper with the investigation, or tamper with the evidence of the case,

- (3) 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,
- (4) The petitioners shall appear before the Officer-in-charge, Tinsukia PS within 7(seven) days from today,
- (5) The petitioners shall continue to appear before the Investigating Officer of the above mentioned case after every 10(ten) days from the date of first appearance till such time the attendance is dispensed with by the said investigating officer.

Bail application stands disposed of.

JUDGE

Comparing Assistant