

GAHC010102542024



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

Case No. : AB/1339/2024

MINAKSHI SAIKIA
W/O RAJU NATH, R/O KHOGA (VILLAGE), P.O.-KHOGA, P.S.-PANIGAON,
DIST- LAKHIMPUR, ASSAM, PIN-787052

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR G PHUKAN,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

10.09.2024

Heard Mr. G. Phukan, learned counsel for the petitioner. Also heard Mr. M. P. Goswami, learned Additional Public Prosecutor for the State.

By this application under Section 438 of Code of Criminal Procedure, 1973, the petitioner, namely **Minakshi Saikia**, has approached this Court seeking the benefit of

pre-arrest bail, apprehending her arrest, in connection with Dhakuakhana PS Case No. 19/2024 under Section 420/406 of IPC corresponding to GR Case No. 23/2024.

This Court vide order dated 27.05.2024 has granted interim protection to the petitioner while, calling for case diary.

The learned counsel for the petitioner submits that after grant of interim protection by this Court under its order dated 27.05.2024, the petitioner appeared before the I.O and got her statement recorded.

The learned Additional Public Prosecutor for the state has vehemently objected to the prayer of bail. It is contended that sufficient incriminating materials are there against the petitioner.

The case diary is received. Perused the same.

Considered the material available on record, it is seen that the petitioner has fully cooperated with the investigation. After perusal of the material so far collected by the investigating officer, this Court is of the view that the custodial detention of the petitioner may not be necessary in this case inasmuch as the investigation has substantially been progressed.

Therefore, in the totality of the matter, the interim protection granted under order dated 27.05.2024 is made absolute with the following terms and condition.

- (1) The petitioner shall not hamper with the investigation, or tamper with the evidence of the case,
- (2) The petitioner 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 her from disclosing such facts to the Court or to any police officer.

Accordingly, this bail application stands disposed of.

Return back the case dairy.

JUDGE

Comparing Assistant