

GAHC010105282024



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

**Case No. : AB/1367/2024**

RANJIT DAS  
S/O SHYAMAL DAS, R/O H.NO. 55, BENGALI BASTI, BIBEK PATH, P.S.-  
BASISTHA, DIST- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM AND ANR  
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:SUNIL DUTTA (INFORMANT)  
S/O LATE NIBARAN DUTTA  
R/O BIPIN BEHARI PATH  
BANGALI BASTI BASISTHA  
GUWAHATI-29  
DIST- KAMRUP (M)  
ASSA

**Advocate for the Petitioner : MR U S BORGOHAIN**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE  
HONOURABLE MRS. JUSTICE MITALI THAKURIA  
ORDER**

**19.06.2024**

Heard Mr. U. S. Borgohain, learned counsel for the petitioner. Also heard Mr. R. J. Baruah, learned Additional Public Prosecutor for the State respondent.

This application filed under Section 438 of the Code of Criminal Procedure, 1973 praying for grant of pre-arrest bail to the accused/petitioner in connection with Basistha P. S. Case No.352/2023 under Section 366 of IPC and added Section 376 *read with* Section 6 of POCSO Act and Section 9 of Child Marriage Act, 2006.

It is submitted by the learned counsel for the petitioner, Mr. Borgohain that the present petitioner is innocent and he is not at all involved in the alleged offence. He also submitted the petitioner was never searched by the police. It is contended by the petitioner that he was not aware about the pendency of this case and he came to know about the same only after getting summon from the Court, wherein, in the charge-sheet he was shown as absconder. He further submits that the petitioner is ready and willing to appear before the learned Trial Court to face the trial, if he granted with the privilege of pre-arrest bail.

In this context, Mr. Baruah, learned Additional Public Prosecutor has raised no objection and submitted that on the ground that the petitioner may be directed to appear before the learned Court below with a proper application of bail.

Thus, considering the entire facts and circumstance of this case, as well as the materials available in the case record, I hereby direct the accused/petitioner to appear before the learned Trial Court within 15 (fifteen) days from today and on his appearance and on his filing a petition for grant of regular bail and the learned Court below shall consider the same in accordance with law. And, till then, it is directed that

no coercive action shall be taken against the accused/petitioner.

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

**JUDGE**

**Comparing Assistant**