

GAHC010106642024



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

Case No. : AB/1397/2024

SHIBA HANSH @ SIBA HANS
S/O SRI KISHAN HANSH, R/O UDAYPUR, SRIPURIA, P.S. AND DIST-
TINSUKIA, ASSAM, PIN-786125

VERSUS

STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR D KALITA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 26-06-2024

Heard Mr. D Kalita learned counsel for the petitioner. Also heard Mr. M.P. Goswami, learned Addl. PP, Assam.

By this application under Section 438 Cr.P.C., the petitioner, namely, ***Shiba Hansh @ Siba Hans*** has prayed for pre arrest bail who is apprehending arrest in connection with ***Tinsukia PS Case No.122/2024***

corresponding to GR Case No.240/2024 under sections **120(B)/406/420 IPC** read with sections 13 & 14 of Game and Betting Act (Assam), 1970.

Case diary called for is received and perused.

This court vide order dated 31.05.2024 granted interim bail to the petitioner while calling for the case diary.

The case diary is received and same is perused.

From the materials available on record, it is seen that the petitioner has cooperated with the investigation and his statement was also recorded.

It is submitted by the learned counsel for the petitioner that the co-accused have already been granted bail by this court in AB No.1287/2024 vide order dated 11.06.2024.

Mr. M.P. Goswami learned Addl. PP has vehemently objected to the prayer of bail.

The materials so far collected by the investigating officer against the above named petitioner, in the considered opinion of this court, do not warrant custodial interrogation of the petitioner in this case, inasmuch as, the petitioner has co-operated with the investigating authority and there is no allegation that he tried to hamper and tamper with the investigation.

Therefore, in the totality of the matter, the interim protection granted under order dated 31.05.2024 is made absolute with the same terms and conditions.

The pre-arrest bail application stands disposed off.

Send back the case diary.

JUDGE

Comparing Assistant