

GAHC010114802024



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

Case No. : AB/1497/2024

JITUMONI BHUYAN
S/O SARAT CHANDRA BHUYAN, RESIDENT OF HOUSE NO. 2, PUB SANTI
NAGAR, KAHILIPARA POWER HOUSE, GUWAHATI, KAMRUP M ASSAM

2: MAHADEV SHARMA
S/O DILLI PRASAD SHARMA

C/O PRADIP KALITA

RESIDENT OF HOUSE NO. 2
NEAR POWER HOUSE
NATUN BAZAR
KAHILIPARA
GUWAHATI
KAMRUP M ASSAM

3: BIJU DAS
S/O BINANDI DAS
HOUSE NO. 11
NIZARA PATH
ODALBAKRA
GUWAHATI
KAMRUP (M) ASSA

VERSUS

THE STATE OF ASSAM
REP. BY PP ASSAM

Advocate for the Petitioner : MR A KAKOTI

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 18.07.2024

Heard Mr. A. Kakoti, learned counsel for the petitioners and Mr. P. Borthakur, learned Addl. Public Prosecutor appearing on behalf of the State respondent.

This is an application under Section 438 Cr.P.C., seeking pre-arrest bail by the petitioners namely **(1) Jitumoni Bhuyan, (2) Mahadev Sharma and (3) Biju Das** in connection with Dispur P.S. Case No. 542/2024 under Sections 294/ 352/ 354/ 509/ 34 IPC.

Case diary is received and perused.

Heard both sides.

It is submitted by Mr. Kakoti, learned counsel for the petitioners that the petitioners are innocent and they are in no way connected with the alleged offences leveled against them. He further submitted that the petitioners have appeared before the I.O. after obtaining the interim pre-arrest bail and their statement have been recorded by the I.O. He further submitted that the petitioners are ready and willing to cooperate with the investigation, if they are granted the privilege of pre-arrest bail by this court.

In this context, Mr. Borthakur, the learned Addl. Public Prosecutor has submitted that The petitioners have appeared before the I.O. and their statement have been recorded.

Considering the submissions of the learned counsel for the parties and

considering the materials available in the case diary, this Court is of the view that further custodial interrogation of the petitioners may not be warranted in the present case, for the interest of further investigation.

Accordingly it is hereby directed that the interim pre-arrest bail granted to the petitioners vide order dated 07.06.2024 is hereby made absolute with the same terms and condition as mentioned in the interim order itself.

With the above observation, the bail application is disposed of.

Returned the case diary.

JUDGE

Comparing Assistant