

GAHC010122552024



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

Case No. : Bail Appln./1767/2024

DIPU DAS
S/O SRI PRATAP CHANDRA DAS
PERMANENT RESIDENT OF VILL- BISHNUPUR, P.O. BHELLA, DIST.
BARPETA, ASSAM, PIN-781309

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. SAILENDRA DEKA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

11.07.2024

Heard Mr. S. Deka, learned counsel for the petitioner. Also heard Mr. B.B. Gogoi, learned APP for the State.

2. The petitioner, who was arrested on 12.05.2024 in connection with

Gorchuk P.S. Case No.369/2023 under Sections 66-D/66-E/67-A of the Information Technology Act read with Section 387 IPC, has prayed for regular bail under Section 439 Cr.P.C.

3. The learned APP has produced the case diary and has opposed the prayer for bail on the ground that certain private photographs of the victim were uploaded in the social media and it is stated that the petitioner was trying to extort money from the victim.

4. Although the case diary contains sufficient material against the petitioner, on consideration that the petitioner has been in judicial custody for 60 days, which is the mandatory statutory period within which charge-sheet ought to have been filed, which was not done, this Court is inclined to release the petitioner namely, Dipu Das on bail on furnishing bail bond of Rs.15,000/- (Rupees Fifteen Thousand) with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup(M), Guwahati.

5. Bail is granted on the following conditions-

- i. The petitioner shall not make any attempt to meet the victim.
- ii. 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 him from disclosing such facts to Court or to any police officer or tamper with the evidence. He shall not, in any manner, try to overawe or influence or intimidate the prosecution witness.
- iii. The petitioner shall not obstruct the smooth progress of the

investigation/trial.

iv. The petitioner shall not misuse his liberty in any manner.

v. The petitioner shall appear before the I/O within 15 (fifteen) days from the date of his release and he shall continue to appear once a month thereafter till his appearance is dispensed with or charge-sheet is filed, whichever is earlier.

6. This application stands disposed of.

7. The case diary is returned.

JUDGE

Comparing Assistant