

GAHC010122702024



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

Case No. : AB/1596/2024

RAJU PAUL
S/O HARI PAUL, R/O VILL- MOINA, P.O.-KANAIBAZAR, P.S.-PATHARKANDI,
DIST- KARIMGANJ, ASSAM, PIN CODE-788724

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MRS. S D CHOUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 16.07.2024

Heard Ms. S.D. Choudhury, learned counsel for the petitioner. Also heard Mr. D.P.Goswami, learned Addl. Public Prosecutor for the State/respondent.

By this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner, namely, **Raju Paul** has prayed for granting pre-arrest bail, apprehending arrest in connection with **Patharkandi P.S. Case No. 138/2024** (CR Case No.483/2024) u/ss 120B/153A/295/326/307/34 r/w Section 67A of I.T Act.

Case diary is received.

The learned counsel for the petitioner submits that the petitioner is no way connected with the alleged offence. Bail was granted to one accused by this court against whom there is allegation that he cut off the hair of the victim who is a boy. It is further submitted that the present petitioner also filed a case against the informant and his family members regarding eve teasing of school girls. It is also submitted that the victim was teasing a girl and as such he was assaulted by some local people. As per injury report of the victim, it reveals that he sustained simple injury and as such, benefit of pre-arrest bail may be extended to the petitioner.

The learned Addl.P.P. has produced the case diary and submits that when the victim boy was teasing the school girls, he was apprehended and assaulted by the petitioner and some other persons. The injury report of the victim boy reveals that he sustained simple injury caused by blunt object.

I have perused the case diary.

Having heard learned counsel for the parties and in the backdrop of facts as emerged from the case diary, this Court finds it not expedient for custodial interrogation of the petitioner.

In view of above, the prayer for anticipatory bail is hereby granted.

It is provided that in the event of arrest of the petitioner, named above, he shall be released on **pre-arrest bail**, in connection with the above noted case on furnishing bail bond of **Rs.40,000/- (Forty Thousand)** with one surety of like amount to the satisfaction of the arresting authority, subject, of course, to the following conditions:

- (i) That the petitioner shall appear before the Investigating Officer within 10 days from today failing which, on the 11th day, the anticipatory bail order shall automatically expire;;
- (ii) That 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/her from disclosing such facts to the Court or to any police officer.

Return the case diary.

This disposes of the anticipatory bail application.

JUDGE

Comparing Assistant