

GAHC010126752024



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

Case No. : AB/1662/2024

JITU RANJAN DANGARIYA
S/O SURESH DANGARIYA, R/O VILL- BOGORITOLIA GAON, P.S.-
RAHMORIA, DIST- DIBRUGARH, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S ISLAM

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 29.07.2024

Heard Mr. S. Islam, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Addl. Public Prosecutor, Assam, appearing on behalf of the State respondent.

This is an application under Section 438 Cr.P.C., seeking pre-arrest bail by the petitioner namely **Sri Jitu Ranjan Dangariya** in connection Chabua P.S. Case No. 45/2024 under Sections 325/ 307/ 506/ 34 IPC.

Case diary is received and perused.

Heard both sides.

It is submitted by Mr. Islam, the learned counsel for the petitioner that the petitioner innocent and he is in no way involved with the alleged offence. However, the petitioner is on interim bail and after obtaining interim pre-arrest bail, the petitioner has cooperated with the I.O. and his statement under Section 161 was recorded. More so, the petitioner is ready and willing to cooperate with the investigation of the case, if he is enlarged on pre-arrest bail.

Mr. Borthakur, learned Addl. PP has submitted that after obtaining the pre-arrest bail by the petitioner from this court, he has appeared before the I.O. and his statement has been recorded under Section 161 CrPC by the I.O. He further submitted that the victim sustained grievous injury caused by sharp object and accordingly he submitted that it is not a fit case to extend the benefit of pre-arrest bail to the present petitioner.

Having heard the submissions of the learned counsel for the parties, I have perused the case diary. The case diary reveals that there is a dispute between the parties and as per the materials available in the case diary, it is seen that the petitioner is present in the scuffle, but there is no direct allegation against the present petitioner regarding causing grievous injury by sharp weapon. More so, considering the materials available in the case diary, I find it to be a fit case to extend the benefit of pre-arrest bail to the petitioner. Accordingly, the interim order dated 27.06.2024 is hereby made absolute under the same terms and conditions.

The bail application is disposed of.

Return the case diary.

JUDGE

Comparing Assistant