

GAHC010145182024



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

Case No. : Bail Appln./2164/2024

MANASHJYOTI DAS
S/O LT. HARESWAR DAS
R/O JHOTIKUCHI MAHAJAN PATH
P.S. FATASIL AMBARI, GUWAHATI
DIST. KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR J PAYENG, MS A PAYENG

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 03-09-2024

Heard Mr. J. Payeng, learned counsel for the petitioner. Also heard Mr. K.K. Parasar, learned Additional Public Prosecutor, Assam appearing for the State respondent.

The present application has been instituted by the petitioner namely, Sri Manashjyoti Das, seeking regular bail in connection with Fatasil Ambari P.S. Case No.169/2024 under Sections 304(B) of

the IPC.

The allegation levelled against the petitioner in the FIR is that on account of torture committed by him on his wife, demanding dowry, she had sustained injuries, which had led to her death on 02.06.2024, when she was undergoing treatment. The said FIR was lodged on 03.06.2024.

The petitioner was placed under arrest on 03.06.2024 and is presently under judicial custody. It is seen that the petitioner has been in detention for more than 90 (ninety) days as on date.

It is submitted at the bar that no charge-sheet has been filed in the matter.

In view of the above position and considering the detention undergone by the petitioner, the petitioner is entitled to default bail.

Accordingly, the petitioner is directed to be released on bail on furnishing a bail bond of Rs.30,000/- (Rupees thirty thousand) with a like surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (M) subject to the following conditions:-

- (i) that the petitioner shall make himself available for interrogation by the Investigating Officer as and when required;
- (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 from disclosing such facts to the Court or to any police officer; and
- (iii) that the petitioner shall not leave the jurisdiction of the learned Chief Judicial Magistrate, Kamrup (M) without prior permission.

With the above observation and direction, the Bail Application stands disposed of.

JUDGE

Comparing Assistant