

GAHC010146962024



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

Case No. : AB/1920/2024

KANGKAN RAJBONGSHI
S/O BANDHU RAM RAJBONGSHI
R/O VILL- PUNIA
P.S. TAMULPUR
DIST. TAMULPUR, BTR, ASSAM

VERSUS

THE STATE OF ASSAM
REP.BY THE PP, ASSAM

Advocate for the Petitioner : MR P DAS, MS N BARUAH, A DAS, MR K J PATHAK, MR. N RAJBANGSHI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 20.09.2024

Heard Mr. P. Das, learned counsel appearing for the petitioner as well as Ms. S.H. Bora, learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 438 of the Cr.P.C. praying for grant of pre-arrest bail in respect of Tamulpur P.S. Case No.158/2024.

3. It is alleged in the FIR that the son of the informant was found lying injured by the side of the road. He was taken to the hospital. When he regained his consciousness, he stated that the present petitioner and two other persons had beaten him up with a stick and other weapons and his purse and the ring were also taken away.

4. Mr. Das has pointed out that actually, on the day of occurrence, the son of the informant while riding the motorcycle had hit the petitioner from behind while the petitioner was walking in front of his house. For that reason, the petitioner sustained injuries. Some medical documents were also filed along with this petition.

5. Mr. Das has further pointed out that the wife of the present petitioner had filed a complaint petition in the court of the learned Chief Judicial Magistrate, Baksa narrating the aforesaid facts.

6. Be that as it may, pursuant to the interim bail granted to the petitioner on 30.07.2024, the petitioner has appeared before the Investigating Officer and has co-operated with the investigation.

7. For the aforesaid reasons, the custodial interrogation of the petitioner is not necessary. Therefore, his bail application is allowed.

8. The interim bail granted in favour of the petitioner on 30.07.2024 is hereby made absolute.

The bail application accordingly stands disposed of.

The CD shall be returned.

JUDGE

Comparing Assistant