

GAHC010149522024



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

Case No. : AB/1954/2024

BHADRESWAR NARAH
S/O CHENIRAM NARAH, R/O VILL- KHALIHAMARI BHIMPARA BALIJAN,
P.O. AND P.S.-BAGINADI, PIN-787032, DIST- LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR.
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:EXCISE DEPTT.
GOVT. OF ASSA

Advocate for the Petitioner : MR G PEGU, MR. N ANAND

Advocate for the Respondent : PP, ASSAM, MR. P N GOSWAMI, SC, EXCISE DEPTT.

**BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

13.11.2024

Heard Mr. N Anand, learned counsel for the petitioner and Ms. S H Bora, learned Additional Public Prosecutor, Assam for the State. Also heard Mr. D Gogoi, learned Standing Counsel, Excise Department for the respondent No.2

2) By this application filed under section 482 BNSS, 2023 the petitioner, namely, **Bhadreswar Narah**, S/o Cheniram Narah, has prayed for his pre arrest bail in connection with North Lakhimpur (S) Excise Case No. 17/2024 registered under Section 53(1)(a) of the Assam Excise (Amendment) Act, 2018 corresponding to GR (Excise) No. 20/2024.

3) The Court by order dated 28.08.2024 granted interim bail to the petitioner in said North Lakhimpur (S) Excise Case No.17/2024 and the petitioner, after his interim bail on 28.08.2024, appeared before the Investigating Officer of said North Lakhimpur (S) Excise Case No.17/2024 and his statement was recorded on 05.09.2024 by the concerned I.O. of the said case.

4) From the perusal of the copy of the case diary placed before the Court today by Mr. Gogoi, learned Standing Counsel, Excise Department, the Court is of the view that custodial detention of the petitioner, namely, **Bhadreswar Narah**, is not warranted for investigation of said North Lakhimpur (S) Excise Case No.17/2024,.

5) As such, this pre-arrest bail application of the petitioner in said North Lakhimpur (S) Excise Case No.17/2024 is accepted.

6) Accordingly, the interim bail granted to the petitioner on 28.08.2024 in said North Lakhimpur (S) Excise Case No.17/2024 is hereby made absolute, subject to the compliance of the conditions incorporated by order dated 28.08.2024 passed earlier in this proceeding by the petitioner as specified and also on compliance of the conditions that the petitioner -

i) shall not leave the territorial jurisdiction of the North Lakhimpur police station, without obtaining prior written permission from the concerned Investigating Officer of the case;

ii) shall not hamper with the investigation, or tamper with the evidence of

the case and;

iii) shall not involve himself in any criminal activities in the future

7) Any violation of the aforesaid terms and conditions as well as the terms and conditions as specified in the order dated 28.08.2024, noted above, by the petitioner, **Bhadreswar Narah**, the pre-arrest bail granted to him in said North Lakhimpur (S) Excise Case No.17/2024 shall stand automatically vacated.

8) This pre-arrest bail application accordingly stands disposed of.

9) Return the case diary herewith.

JUDGE

Comparing Assistant