

GAHC010156232024



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

Case No. : Bail Appln./2289/2024

MRS. SANTANA PHUKAN
W/O SRI BHRIGU PHUKAN, R/O KALABARI, P.S.-GOHPUR, DIST-
BISWANATH, ASSAM, PIN-784178

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. L GOGOI,

Advocate for the Respondent : PP, ASSAM,

Linked Case : Bail Appln./2288/2024

PRANAB BORAH
S/O SRI GOLOK BORAH
R/O JORABARI
P.S.-NARAYANPUR
DIST- LAKHIMPUR
ASSAM
PIN-784164

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

Advocate for : MR. L GOGOI
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 13.08.2024

This is a common order for these two bail applications as both the bail applications have arisen out of the same FIR.

2. Heard Mr. L. Gogoi, the learned counsel appearing for the petitioners. Also heard Mr.K.K. Parasar, the learned Additional P.P. for the State of Assam.
3. Mr. Parasar has submitted that the case diary has not been received.
4. Mr. Gogoi has pointed out that the petitioners have already completed 30 days of detention in custody.
5. Considering the aforesaid two factors and also the contents of the FIR, this Court had decided to consider the bail applications without going through the case diary.
6. The case against the petitioners is that as a person Rijul Orang had visited their house on the day of occurrence.
7. Rijul Orang has stated in the FIR that the petitioners had asked an amount of Rs. 8,000/- from him and he had gone to their house to return their money. The informant has alleged that when he reached the house of the petitioners, he was badly beaten up by the petitioners with sticks and other things.
8. Mr. Gogoi has submitted that the actual reason for the aforesaid incident is that the

informant used to send obscene messages to the wife of the petitioner Pranab Borah and for that matter, all of them had beaten up the informant.

9. Considering the nature of offence and also considering the period of detention of the petitioners in custody, the petitioners do not deserve to be detained in custody for any further period of time.

10. The bail applications are allowed.

11. Accordingly, the petitioners, namely, Mrs. Santana Phukan and Pranab Borah, who were arrested in connection with Gohpur P.S. Case No. 100/2024, shall be released on bail of Rs.20,000/- each with a surety of like amount to the satisfaction of the learned S.D.J.M. (M), Gohpur.

12. The bail applications stand disposed of accordingly.

JUDGE

Comparing Assistant