

GAHC010182402024



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

Case No. : Bail Appln./2686/2024

SMT. DIPALI MAHANTA
D/O LATE INDESWAR MAHANTA, R/O VILL- BORAPANIPATHAR, P.O.-
GHAHIGAON AND P.S.-HALEM, DIST-BISWANATH, ASSAM, PIN-784170

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. L GOGOI,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

09.09.2024

1. Heard Mr. L. Gogoi, learned counsel for the petitioner Dipali Mahanta.
2. The petitioner has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as she is behind bars since 02.08.2024 in connection with Halem P.S. Case No. 54/2024 under Sections

120(B)/406/420/468 of the IPC.

3. Heard Mr. D. Das, learned Additional Public Prosecutor, Assam for the respondent State.
4. Learned Additional Public Prosecutor has raised objection against the bail petition stating that the matter is of a serious nature.
5. The petitioner has duped 300 odd individuals and have misappropriated money in the garb of a bank loan.
6. I have considered the submissions at the Bar.
7. It is submitted on behalf of the petitioner that she is an elderly woman aged 52 years, and she has already undergone 38 days of incarceration.
8. I have considered the submission that the petitioner is willing to co-operate with the remaining part of the investigation and to abide by any stringent bail conditions, if imposed upon her.
9. Considering all aspects, petition is allowed. The petitioner shall be enlarged on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand) with a suitable surety of like amount to the satisfaction of the learned SDJM,(M), Gohpur under the conditions that:

- (i) The petitioner shall refrain from such activities with which she is alleged,
- (ii) The petitioner shall appear before the Investigating Officer every fortnight till completion of investigation, and
- (iii) The petitioner shall not leave the jurisdiction of the Court without prior permission.

10. On breach of any of the bail conditions, bail order shall stand automatically cancelled.

11. In terms of the above observation, bail application stands disposed of.

JUDGE

Comparing Assistant