

GAHC010187892024



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

Case No. : AB/2424/2024

RUPAMJYOTI BORAH
S/O- DHARMAKANTA BORAH,
R/O-AKHOI PHUTIA, SIVASAGAR,
P.S AND DIST- SIVASAGAR, ASSAM, PIN-785697

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR. DITUL DAS, MS TINLUNG

Advocate for the Respondent : PP, ASSAM,

B E F O R E
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

03.10.2024

Heard Mr. D. Das, learned counsel for the petitioner Rupamjyoti Borah, who has filed application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for pre-arrest bail as he is apprehending arrest in

connection with Sivsagar Police Station Case No. 109/2024 (GR 190/2024) registered under Sections 381/420 of the Indian Penal Code, 1860.

2. Heard Mr. R.R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State.

3. The allegation against the petitioner is that he took into possession the gold which was deposited by the customers of the bank of Maharashtra and thereafter, he applied for gold loans.

4. Learned Additional Public Prosecutor has raised serious objection against the bail petition stating that there are incriminating materials in the Case Diary against the petitioner.

5. It is submitted on behalf of the petitioner that the petitioner is a banking correspondent and the gold was not under his custody and it is not possible that he would be able to replace the gold with fake gold and with the help of the gold of the customers procured loan as alleged against the petitioner.

6. I have scrutinized the Case Diary. Indeed there are incriminating materials in the Case Diary against the petitioner. At this juncture there appears to be no justified ground to grant anticipatory bail to the petitioner. Hence, petition stands rejected at this stage.

7. In terms of the above observation, this Anticipatory Bail application stands disposed of.

8. Send back the Case Diary.

JUDGE

Comparing Assistant