

GAHC010190162024



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

Case No. : AB/2544/2024

SAMAR SARMA
S/O- LATE (DR.) ABHOY PRASAD SARMA, R/O- LAKHESWAR BARUAH
ROAD, NEW GUWAHATI, BAMUNIMAIDAN, GUWAHATI, DIST.
KAMRUP(M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR I S MAZUMDAR, MS. A AZAD,MR N ALI

Advocate for the Respondent : PP, ASSAM, S RABHA(INFORMANT),MR G K
DEKA(INFORMANT),MR C GOGOI(INFORMANT),MR. A M BARUAH (INFORMANT)

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

03.10.2024

1. Heard learned counsel Mr. I. S. Majumdar for the petitioner Samar Sarma.
2. The petitioner has filed this application under Section 482 of the BNSS, 2023

with prayer for pre-arrest bail as he is apprehending arrest in connection with Dispur Police Station Case No. 718/2024 registered under Sections 406/420 of the IPC.

3. Heard Mr. R. R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State and learned counsel Mr. G. K. Deka for the informant.
4. The allegation against the petitioner is that he has fraudulently induced the informant to pay RS. 30 lacs to set up a Joint venture with the informant promising him of attractive returns. On 02.02.2024, the accused received an amount of RS. 29 lacs and again on 08.02.2024, he received a further amount of RS. 1 lac, and thereafter, the petitioner started avoiding the informant.
5. The learned counsel for the petitioner has submitted that the petitioner is willing to appear before the Investigating officer and co-operate with the investigation.
6. Learned Additional Public Prosecutor has raised serious objection stating that there are incriminating materials in the Case Diary against the petitioner. The learned counsel for the informant has submitted that the petitioner has been continuously cheating the informant.
7. I have scrutinized the Case Diary. Indeed there are incriminating materials in the Case Diary against the petitioner.
8. At this juncture, there appears to be no justified ground to extend the

privilege of anticipatory bail to the petitioner. Hence, Petition is rejected at this stage.

9. Send back the Case Diary.

JUDGE

Comparing Assistant