

GAHC010200972024



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

Case No. : Bail Appln./2952/2024

AKADASHI DAS
W/O AJAY NANDI, R/O KANAKPUR ROAD, RANGIRKHARI, P.S. SILCHAR,
DISTRICT CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. R P SARMAH, MRS. R RONGMEI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 03-10-2024

Heard Ms. R. Rangmai, learned counsel for the petitioner, Akadashi Das, who has filed this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for bail as she is behind bars since 09.09.2024 in connection with Silchar P.S. Case No.789/2024 under Sections 406/420 IPC and R/W Section 21/22/23 Banning of Unregulated deposit

schemes Act, 2019.

2. Heard Mr. D. Das, learned Additional Public Prosecutor, Assam.

3. Learned Additional Public Prosecutor has raised serious objection in granting bail to the petitioner stating that there are incriminating materials in the case diary against the petitioner. More than three individuals have been cheated by the petitioner working under Singhania Fintech Agri Business Consortium Ltd. The FIR unfolds that on 09.04.2024, Simi Saha called the informant and other customers to their office and approached them for a payment of Rs.2,000/- each for a loan of Rs.25,000/- from various banks to start their own business. However, as promised no such loans were disbursed in favour of the customers after procuring Rs.2000/- from the customers.

4. It is submitted on behalf of the petitioner that the petitioner is pregnant, carrying for four months. It is also submitted that the petitioner is an employee of the said company and she was not aware of the fraudulent activities of the company. On the contrary, learned Additional Public Prosecutor has submitted that the petitioner is named in the FIR.

5. I have scrutinized The Case Diary and there are incriminating materials against the petitioner in the case diary. However, it appears that further custodial detention may not be required for further investigation of the case.

6. Considering all aspect, I deem it proper to grant bail to the petitioner. The petitioner is enlarged on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty Thousand) with a suitable surety of the like amount to the satisfaction of the learned CJM, Cachar, Silchar under the conditions that :

(i) the petitioner shall appear before the Investigating Officer on every fortnight till completion of investigation,

(ii) the petitioner shall refrain from such activities with which she alleged;

(iii) the petitioner shall not leave jurisdiction of the Court without prior permission.

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

8. In terms of the above observation, this Bail Application stands disposed of.

9. Send back the Case Diary.

JUDGE

Comparing Assistant