

GAHC010231342024



2024:GAU-AS:12265

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

Case No. : AB/2911/2024

BITUMONI CHOUDHURY
D/O FAIJUL ISLAM, R/O SARUMOTORIA, HENGRABARI, PS. DISPUR,
GUWAHATI-06, DISTRICT KAMRUP (METRO), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR K P PATHAK, MS. J GHOSH,MR. R MAJUMDAR,MR. JUNM LASKAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

04-12-2024

Heard Mr. K. P. Pathak, learned Senior Counsel assisted by Mr. JUNM Laskar, learned counsel for the petitioner and Ms. N. Das, learned Additional Public Prosecutor, Assam for the State.

2. Apprehending her arrest, the petitioner, namely, **Bitumoni Choudhury**, daughter of Faijul Islam, resident of Sarumotoria, Hengerabari, P.S-Dispur, District-Kamrup (Metro) has filed this application under Section 482 BNS seeking pre-arrest bail in **Abhayapuri P.S. Case No. 202/2024** registered under Section 308(20 of the BNS, read with Section 7 of the Prevention of Corruption Act.
3. Matter relates to demand and accept of bribe from various people on the pretext of facilitating certain official task by the FIR named accused person .
4. The Court while granting interim bail to the petitioner on 06.11.2024 called for the case diary.
5. Ms N. Das, learned Addl. PP placed the case diary before the Court today.
6. From the case diary, it is seen that after obtaining interim bail, the petitioner appeared before the concerned Investigating Officer of the case and her statement has already been recorded.
7. It is also seen that not only the FIR named accused persons of the case has been arrested, but some other persons involved in the case have been subsequently arrested.
8. Ms. N. Das, learned APP from the case diary submitted that the petitioner is cooperating with the investigation of the case.
9. Considering the materials in the case diary and the fact that after obtaining interim bail, the petitioner is co-operating with the investigation of the case, the Court is of the view that custodial interrogation of the petitioner is not warranted for investigation of said Abhayapuri P.S. Case No. 202/2024. As such, this pre-arrest bail application of the petitioner is accepted.
10. Accordingly, the interim pre-arrest bail granted to the petitioner on 06.11.2024 in said **Abhayapuri P.S. Case No. 202/2024** is hereby made absolute, subject to the compliance of the terms and conditions as specified in the order dated 06.11.2024 and on compliance of the following conditions that the petitioner – (i) shall appear before the concerned Investigating Officer of said **Abhayapuri P.S. Case No. 202/2024** during the office hours as and when she is required for necessary investigation of said **Abhayapuri P.S. Case**.

- 11.** Any violation of the aforesaid term and conditions as well as the terms and conditions as specified in the order dated 06.11.2024, noted above, by the petitioner, named above, the pre-arrest bail granted to her in the aforementioned **Abhayapuri P.S. Case No. 202/2024** shall stand automatically vacated.
- 12.** This pre-arrest bail application accordingly stands disposed of.
- 13.** Return the case diary herewith.

JUDGE

Comparing Assistant