

GAHC010231492024



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

Case No. : AB/2913/2024

BINOD KUMAR DAS
S/O LATE KANAK LAL DAS
R/O JUGASHREE NAGAR
ODALBAKRA, HOUSE NUMBER 12
BYE LANE NO.2, P.O. KAHILIPARA, P.S. DISPUR
DIST.-KAMRUP(M), ASSAM, PIN-781019

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR. N K DAS, MR. B DEKA, MR. A S ALI, MR. A SAIKIA

Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

06.11.2024

Heard Mr. A. Saikia, the learned counsel appearing for the petitioner. Also heard Mr. R.J. Baruah, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for pre-arrest bail in respect of Fatasil Ambari P.S. Case No.315/2020, under Sections

120(B)/420/406/403/506/34 of the Indian Penal Code.

- 3.** In the aforesaid case, police filed a Final Report for lack of evidence against the present petitioner. Thereafter, the informant filed a Protest Petition before the Magistrate and the learned Magistrate held that investigation was not done properly and directed police to go for further investigation.
- 4.** I have considered the submissions made by the learned counsel of both sides.
- 5.** At this stage, this Court will not express any opinion about the impugned order of the Magistrate. But under the given circumstances of the case, the present petitioner does not deserve to be detained in custody. His pre-arrest bail application is allowed.
- 6.** It is hereby directed that in the event of arrest in connection with Fatasil Ambari P.S. Case No.315/2020, under Sections 120(B)/420/406/403/506/34 of the Indian Penal Code, the petitioner, namely- Binod Kumar Das shall be allowed to go on bail of ₹20,000/- with a surety of like amount to the satisfaction of the arresting authority.
- 7.** The above named petitioner shall regularly appear before the Investigating Officer as and when required.

With the aforesaid direction, the present application is disposed of.

JUDGE

Comparing Assistant