

GAHC010253452024



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

Case No. : AB/3161/2024

SHRI JYOTI RANA SAIKIA
S/O LATE JATINDRA NATH SAIKIA
R/O POTIA GAON, JORHAT, P.O. POTIA GAON, P.S. AND DIST. JORHAT,
ASSAM, PIN-785101, MOBILE NO. 9101707439

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. P D NAIR, MS S GOYAL, MR S R A NASER, MR. H ROHMAN, MR G ALAM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 13-12-2024

Heard Mr. G. Alam, learned counsel appearing for the petitioner. Also heard Mr. D. Das, learned Additional Public Prosecutor appearing for the State of Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for pre-

arrest bail in respect of Jorhat P.S. Case No.437/2024 registered under Sections 387/294/506, Indian Penal Code.

3. The petitioner gave a loan of Rs. 4,30,000/- to the informant. Thereafter, the informant returned an amount of Rs. 11,40,000/-. The informant alleges that even after receiving such big amount of money, the petitioner continued to put pressure upon him to pay more money. The informant has raised that the petitioner had entered into his house, threatened him with dire consequences if he fails to pay the money as demanded by him.

4. On a plain reading of the FIR, it appears that a civil dispute has given colour to a criminal case. In such circumstances, the petitioner does not deserve to be detained in custody.

5. It is hereby directed that in the event of arrest of the petitioner in connection with Jorhat P.S. Case No.437/2024 registered under Sections 387/294/506, Indian Penal Code, the petitioner, namely Sri Jyoti Rana Saikia shall be released on bail of ₹20,000/- with surety of like amount to the satisfaction of the arresting authority.

6. The petitioner shall cooperate with the police investigation as and when required.

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

JUDGE

Comparing Assistant