

GAHC010254822024



2024:GAU-AS:12854

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

Case No. : AB/3162/2024

DHRUBOJYOTI DUTTA AND ANR
S/O MANGALMOY DUTTA
R/O WARD NO. 2, HILL VIEW, FOREST GATE, P.O.AND P.S. MARGHERITA,
DIST. TINSUKIA, ASSAM, PIN-786181

2: MONI DAS DUTTA
W/O MANGALMAY DUTTA
R/O WARD NO. 2
HILL VIEW
FOREST GATE

P.O. AND P.S. MARGHERITA
DIST. TINSUKIA
ASSAM

PIN-78618

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR B P BORAH, MR. A KHANDAKAR,MR H MAZUMDER,MR
P J DUTTA

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

17-12-2024

Heard Mr. H Mazumdar, learned counsel for the petitioners and Mr. B Sarma, learned Additional Public Prosecutor, Assam for the State.

2. Apprehending their arrest, the petitioners, namely, (i) **Sri Dhrubojyoti Dutta**, son of Mangalmoy Dutta and (ii) **Smti Moni Das Dutta**, wife of Mangalmay Dutta, both resident of Ward No. 2, Hill View, Forest Gate, Police Station-Margherita, District-Tinsukia have filed this application under Section 482 BNSS, 2023, seeking pre arrest bail in **Women Police Station Case No. 56/2024** registered under Sections 82(1)/85 of BNS, 2023, corresponding to G.R. No. 6783/2024.

3. The Court by order dated 03.12.2024 granted interim bail to the petitioners, pursuant to which, they appeared before the concerned Investigating Officer of the case and their statements were accordingly recorded.

4. Mr. B Sarma, learned APP, Assam from the case diary has submitted that the case is a matrimonial dispute between the petitioners and the informant of the case.

5. Considering such materials in the case diary, the Court is of the view that custodial detention of the petitioners is not warranted for investigation of said Women Police Station Case No. 56/2024. As such, this pre arrest bail application of the petitioners is accepted.

6. Accordingly, the interim pre-arrest bail granted to the petitioners on 03.12.2024 in said Women Police Station Case No. 56/2024, is hereby made absolute, subject to the compliance of the terms and conditions as specified in the said order dated 03.12.2024, noted above.

7. Any violation of the terms and conditions as specified in the order dated 03.12.2024, noted above, by the petitioners, namely, (i) **Sri Dhrubojyoti Dutta** and (ii) **Smti Moni Das Dutta**, the pre-arrest bail granted to them in the aforementioned Women Police Station Case No. 56/2024 shall stand automatically vacated.

8. This pre-arrest bail application accordingly stands disposed of.

9. Return the case diary herewith.

JUDGE

Comparing Assistant