

GAHC010262832023



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

Case No. : AB/3943/2023

TAFIKUL HOQUE
S/O- LATE ABUL MAJAN, R/O- VILLAGE- GANGAPUKHURI, P.O.
PATHORIGHAT, P.S. SIPAJHAR, DIST.- DARRANG, ASSAM, PIN CODE- 784144

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR M BARMAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

25.01.2024

Heard Mr. M. Barman, learned counsel for the petitioner. Also heard Mr. K.K. Parashar, learned Addl. P.P, Assam.

This is an application under Section 438 Cr.PC. 1973 for granting pre-arrest

bail to the petitioner namely, Tafikul Hoque in connection with Sipajhar Police Station Case No. 319/2023 dated 01.10.2023 registered under Section 366 of IPC, 1860

The Case Diary as called for is placed before this Court.

It may be mentioned that by Order dated 21.11.2023, this Court granted the privilege of interim pre-arrest bail to the petitioner subject to the conditions.

Mr. K.K. Parashar, learned Addl. P.P submits that the Case Diary shows that the petitioner appeared before the Investigating Officer and got his statement recorded under Section 161 Cr.PC as per the interim pre-arrest bail granted earlier. There is no adverse report against the petitioner from the Investigating Officer.

This Court finds that custodial interrogation of the petitioner may not be required in the interest of the on-going investigation into the case.

Accordingly, the interim pre-arrest bail granted in the Order dated 21.11.2023 is hereby made absolute, subject to the following conditions:-

- (i) That the petitioner shall cooperate in investigation as and when required; and
- (ii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case so as to dissuade such person from disclosing such facts to the

Court or to the any Police Officer.

Accordingly, the application stands disposed of.

Return the Case Diary.

JUDGE

Comparing Assistant