

GAHC010267602024



undefined

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

Case No. : AB/3284/2024

BISWAJIT SAIKIA
S/O- LATE SANTI RAM SAIKIA, R/O- WARD NO. 6, LACHIT NAGAR, P.O.
AND P.S. ABHAYAPURI, DIST. BONGAIGAON, ASSAM, PIN- 783384.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P., ASSAM

Advocate for the Petitioner : MR. R DE, MS I RAJKHOWA, MR P NEOG, MS. K SHARMA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 20.12.2024

Heard Mr. R. De, learned counsel for the petitioner, namely, Biswajit Saikia, who has filed this application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for pre-arrest bail as he is apprehending arrest in connection with Abhayapuri Police Station Case No. 216/2024 under Sections 316(2)/318(2) of Bharatiya Nyaya Sanhita, 2023 read with Section

21(1)/21(2)/21(3) of Banning of Unregulated Deposit Schemes Act, 2019.

2. Heard Mr. K. K. Das, learned Additional Public Prosecutor, Assam for the respondent State.

3. The FIR unfolds that money has been siphoned off through the 'Apps' named 'Hedgex' from several innocent individuals. It is submitted on behalf of the petitioner that the petitioner is innocent and he too had deposited Rs.12.5 lakhs through the 'Hedgex'.

4. The learned Additional Public Prosecutor has raised serious objections stating that there are incriminating materials in the Case Diary against the petitioner.

5. I have scrutinized the Case Diary. It is seen that there are incriminating materials in the Case Dairy against the petitioner.

6. I have considered the gravity of the offence. It appears that investigation may be adversely affected if the petitioner is admitted to bail. Therefore, the petition with prayer for bail stands rejected at this juncture.

7. Accordingly, in term of the above, this Anticipatory Bail petition stands rejected at this stage.

8. Send back the Case Diary.

JUDGE

Comparing Assistant