

GAHC010279372023



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

Case No. : AB/4154/2023

ANIT AGARWALLA AND ANR
S/O LT. SIWBHAGAWAN AGARWALLA R/O A T ROAD DIST. JORHAT ASSA
PIN 785001

2: ANKIT AGARWALLA
S/O SRI LALCHAN AGARWALLA R/O RONGAMATI AT ROAD DIST.
GOLAGHAT ASSAM PIN 78561

VERSUS

THE STATE OF ASSAM
REP BY THE PPP, ASSAM

Advocate for the Petitioner : MR. S CHAKRABORTY

Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

19.01.2024

This is an application under Section 438 of the CrPC in respect of Morigaon Police Station Case No.442/2023, registered under Sections

120B/417/420/409 of the Indian Penal Code.

I have heard the learned counsel Mr. S. Chakraborty appearing for the petitioners. Also heard Mr. K.K. Parasar, the learned Addl. Public Prosecutor representing the State of Assam.

The informant has alleged that one Kamal Kumar, an employee of a Rice Mill, was purchasing grains by paying less than the Minimum Support Price (MSP) fixed by the Government.

The present two petitioners are running the said Rice Mill.

I have considered the submissions of the learned counsels of both sides.

In view of the interim bail granted by this Court, the petitioners have already appeared before the Investigating Officer and has co-operated with police investigation.

Now, this Court is of the opinion that since the petitioners have co-operated with the police investigation, they do not deserve to be detained in custody. Their pre-arrest bail application is allowed.

Interim bail granted in favour of the petitioners, namely- (1) Sri Anit Agarwalla and (2) Sri Ankit Agarwalla by this court on 12.12.2023, is made absolute.

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

Case diary shall be returned.

JUDGE

Comparing Assistant