

GAHC010280612023



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

Case No. : Bail Appln./4507/2023

NIRUPAMA SAIKIA
W/O LATE DHRUBA KR. SAIKIA
R/O H./NO. 7, DEVDARU PATH, DISPUR, P.S. DISPUR, GUWAHATI-6
KAMRUP (METRO), ASSAM

ON BEHALF OF
MR. ABHIJIT SAIKIA
S/O D.K. SAIKIA
R/O H./NO. 7, DEVDARU PATH,
DISPUR, P.S. DISPUR,
GUWAHATI-6,
KAMRUP (METRO), ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. S P ROY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 05.01.2024

Heard Ms. Nirupama Saikia, petitioner-in-person. Also heard Mr. K. K. Das, learned Additional Public Prosecutor for the State.

The petitioner-in-person has submitted that the accused, namely, Abhijit

Saikia, who is the son of the present petitioner was granted bail by this Court on 12.12.2023. It is submitted by the petitioner that the accused, namely, Abhijit Saikia has cooperated in the investigation.

On the other hand, learned Additional Public Prosecutor has produced the case diary of Gossaigaon P.S. Case No. 381/2023 and has submitted that there are sufficient incriminating materials against the present accused person. However, he has also submitted that the accused, namely, Abhijit Saikia has appeared before the Investigating Officer and his statement under Section 161 of the Code of Criminal Procedure has been recorded.

Considering the fact that the accused, namely, Abhijit Saikia has cooperated in the investigation and has complied with the directions of this Court, this Court is of the considered opinion that his custodial detention may not be necessary for fair completion of the investigation of Gossaigaon P.S. Case No. 381/2023, if he continues to cooperate in the investigation.

In view of the above observation, the bail granted to the accused, namely, Abhijit Saikia by order dated 12.12.2023 by this Court is hereby made absolute with condition Nos. 1 and 2 attached to the said order remaining intact.

The petitioner shall also appear before the Investigating Officer as and when so required by the Investigating Officer for the fair completion the investigation.

With the above observation, this bail application is hereby disposed of.

Let a copy of this order be furnished to the learned SDJM(M), Gossaigaon/Chief Judicial Magistrate, Kokrajhar also.

JUDGE

Comparing Assistant