

GAHC010282802023



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

Case No. : AB/4225/2023

TINKU PAUL AND ANR
W/O SHRI TULSI PAUL
R/O NARAYAN PLAZA MARKET,
SHYAMAPRASAD ROAD,
P.O. AND P.S. SILCHAR
DIST. CACHAR, ASSAM
PIN-788001

2: SMTI. RINA RANI NATH @ RINA NATH
W/O SHRI CHANDRAKANTA NATH
R/O MEHERPUR
PUSPS BIHARI LANE
P.O. MEHERPUR
P.S. SILCHAR
DIST. CACHAR
ASSAM
PIN-78801

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. I H LASKAR

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

29.01.2024

Heard Mr. P.K. Deka, learned counsel for the petitioners. Also heard Mr. P. Borthakur, learned Addl. P.P, Assam.

This is an application under Section 438 of Cr.PC, 1973 for granting pre-arrest bail to the petitioners, namely Smti. Tinku Paul and Smti. Rina Rani Nath @ Rina Nath, who are apprehending arrest in connection with Silchar P.S Case No. 2102/2023 (G.R. Case No. 4002 of 2023) registered under Sections 448, 342, 294, 352, 354, 326 & 34 of IPC.

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

It may be mentioned that by Order dated 19.12.2023, this Court granted the privilege of pre-arrest bail to the petitioners, subject to the conditions.

Mr. P. Borthakur, learned Addl. P.P submits that the Case Diary shows that the petitioners appeared before the Investigating Officer and got their statements recorded under Section 161 Cr.PC as per the interim pre-arrest bail granted earlier.

It appears from the Case Diary placed before this Court that one of the injured had sustained grievous injury caused by a sharp weapon and the other had sustained simple injury caused by a blunt weapon.

Since the petitioners are cooperating with the investigation and have already

appeared before the Investigating Officer and has also got their statements recorded, this Court finds that custodial interrogation of the petitioners may not be further required in the interest of the on-going investigation into the case. Accordingly, the interim pre-arrest bail granted with the Order dated 19.12.2023 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