GAHC010107582020

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

Case No. : AB 1979/2020

1:TANSENG PHUKAN
S/O- SRI PRADIP CH. PHUKAN @ PRADIP PHUKAN, PERMANENT R/O- VILL- CHETIA GAON, P.O. AND P.S. NORTH LAKHIMPUR, DIST.- LAKHIMPUR, ASSAM, PRESENTLY RESIDING AT OFFICIAL QUARTER, BANGALMARI, DHEMAJI JAIL, DHEMAJI, DIST.- DHEMAJI, ASSAM

VERSUS

1:THE STATE OF ASSAM
REP. BY THE P.P., ASSAM

Advocate for the Petitioner : MR. B K GOGOI

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

Date : 21-09-2020

Heard Mr. B.K. Gogoi, learned counsel for the petitioner. Also Heard Mr. B.J. Dutta, learned Addl. Public Prosecutor, Assam appearing for the State respondent.

This petition under Section 438 Cr.P.C., is filed for granting the privilege of pre-arrest bail to the petitioner, namely **Tanseng Phukan**, apprehending arrest in connection with **Dhemaji P.S. Case No. 321/2020 [Corresponding to G.R. Case No. 812/2020(DMJ)]** registered u/s **366/376/294/506** of the IPC.

The Case diary, as called for, is placed before the Court.

It may be mentioned that by order, dated 19.08.2020, this Court granted the privilege of interim pre-arrest bail to the petitioner subject to conditions.

Perusal of the case diary shows prima facie incriminating material against the petitioner. However, pursuant to the interim pre arrest bail granted earlier, the petitioner appeared before the investigating officer and got his statement recorded under Section 161 Cr.P.C.

Therefore, the interim pre-arrest bail granted vide order, dated 19.08.2020 is hereby made absolute, subject to the following conditions-

(i) That the petitioner shall co-operate in investigation as and when required;

(ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

(iii) That the petitioner shall not hamper or tamper with the investigation in any manner.

Return the case diary.

This disposes off the anticipatory bail application.

JUDGE

Comparing Assistant