GAHC010121732020

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

Case No. : AB/2356/2020

HARAJYOTI DAS AND 3 ORS.
S/O LATE AJIT DAS, R/O KAHILIPARA, JATIA, P.S. DISPUR, DIST. KAMRUP (M), ASSAM.

2: KANKAN SAHARIAH
S/O LATE JAGENDRA SAHARIAH
R/O INDRAPUR
P.S. BHANGAGARH
DIST. KAMRUP (M)
ASSAM.

3: PRABIR DAS
S/O SRI RATAN KR. DAS
R/O KAHILIPARA STATION COLONY
P.S. FATASIL AMBARI
DIST. KAMRUP (M)
ASSAM.

4: MANTU MIAH
S/O MD. AJIT MIAH
R/O HENGERABARI
UDAYAN PATH
P.S. DISPUR
DIST. KAMRUP (M)
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP, ASSAM.

Advocate for the Petitioner : MS G DEKA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

Date : 15-12-2020

Heard Ms. G. Deka, learned counsel for the petitioners. Also heard Ms. S.H. Bora, 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 petitioners, namely **i) Harajyoti Das ii) Kankan Sahariah iii) Prabir Das** and **iv) Mantu Miah**, apprehending arrest in connection with **Dispur P.S. Case No. 1897/2020** registered u/s **420/406/298/294/506** of the IPC.

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

It may be mentioned that by order, dated 16.09.2020, this Court granted the privilege of interim pre-arrest bail to the petitioners subject to conditions.

Ms. S.H. Bora, learned Addl. Public Prosecutor, submits that the case diary shows that the petitioners appeared before the investigating officer and got their statements recorded under Section 161 Cr.P.C. as per the interim pre arrest bail granted earlier.

Accordingly, the interim pre-arrest bail granted vide order, dated 16.09.2020 is hereby made absolute, subject to the following conditions-

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

(ii) That the petitioners 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 petitioners 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