GAHC010139202020

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

Case No. : AB/2717/2020

PRAKALP DAIMARY
S/O SRI NAYAN DAIMARY, R/O VILL-BAMUNIGAON, P.O.-BAMUNIGAON, P.S.-CHHAYGAON, DIST-KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. K N KALITA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PRASANTA KUMAR DEKA

ORDER

Date : *26.11.2020.*

Heard Mr. B. Islam, the learned counsel for the petitioner and Mr. B. B. Gogoi, the learned Additional PP, Assam, assisted by Mr. S. Ali, the learned counsel for the informant.

By this application under Section 438 of the Cr.P.C., the petitioner, namely, Sri Prakalp

Daimary, is seeking pre-arrest bail in connection with Boko P.S. Case No. 1049/2020 under Section 294/500/506 IPC r/w Section 66D/66E/67A of I.T Act.

Though the case diary is produced, however, it is submitted by the learned counsel for the informant that an affidavit was filed on 11.11.2020 by the informant Smt. Jyotima Boro and as per the contents of the said affidavit, both the victim and the petitioner entered into the wedlock socially and in support of the said contention necessary photographs are annexed.

In view of the said submissions through the affidavit by the informant, I am satisfied to grant the pre-arrest bail to the petitioner above named. In the event of arrest of the petitioner above named, in connection with the case aforementioned, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with a suitable surety of the like amount, to the satisfaction of arresting authority. The pre-arrest bail is granted on the following conditions:

(1) The petitioner shall not leave the territorial jurisdiction of the aforesaid police station, without prior written permission from its office-in-charge,

(2) The petitioner shall not hamper with the investigation, or tamper with the evidence of the case,

(3) 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 them from disclosing such facts to the Court or to any police officer,

(4) The petitioner shall appear before the Officer-in-charge Boko P.S. within 7(seven) days from today.

(5) The petitioner shall continue to appear before the Investigating Officer of the above mentioned case after every 10(ten) days from the date of first appearance till such time the attendance is dispensed with by the said investigating officer.

Send back the case diary.

This bail application stands disposed of.

JUDGE

Comparing Assistant