GAHC010139432020

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

Case No. : AB/2864/2020

MONESWAR BARUAH
S/O SRI SUKHESWAR BARUAH
RESIDENT OF MARUWARI PATTY, PO CHAPAKHOWA, PS SADIYA, DIST TINSUKIA, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP ASSAM

Advocate for the Petitioner : MR. S P CHOUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

04-12-2019

This is an application made under **Section 438 Cr.P.C**., seeking pre-arrest bail by the petitioner, namely, **Sri Moneswar Baruah,** apprehending arrest in connection with **Sadiya Police Station Case No. 37/2020,** registered **under Sections 354(b)(c)/395 of the IPC**.

I have perused the petition including the copy of the FIR and the documents annexed therewith.

The case diary produced has also been perused.

Heard Mr. S.P. Choudhury, learned counsel appearing for the petitioner and Mr. M.P. Goswami, learned Additional Public Prosecutor.

On examination of the materials in the case diary it does not appear that custodial interrogation of the petitioner is essential for the purpose of investigation of this case.

That apart, the petitioner has produced an affidavit in which informant has made a statement that the case is the result of misunderstanding between the parties.

On the other hand, the petitioner has appeared before the Investigating Police Officer in accordance with the order granting interim pre-arrest bail to him. His statement has already been recorded and he has not misused the liberty granted to him.

That being so, the petitioner is granted the privilege of pre-arrest bail.

Accordingly, the interim pre-arrest bail granted to the petitioner, vide order dated 20-10-2020, is made **absolute** by this order on the same terms and conditions.

The anticipatory bail application stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant