GAHC010141502020

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

Case No. : AB/2761/2020

JEHIRUL BORA @ JEHIRUL BORAH
S/O HAKIB BORA, VILL-RANGMAHAL, P.O.-RANGMAHAL, P.S.-CHANGSARI, DIST-KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR P DAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

16.12.2020

Heard Mr. P. Das, learned counsel for the petitioner and Ms. S.H. Borah, learned Addl. PP., Assam appearing for the State/respondent.

By this application under Section 438 Cr.P.C., the petitioner, namely ***Jehirul Bora*** has prayed for pre-arrest bail apprehending arrest in connection with **Changsari P.S. Case No. 524/2020** under Section 379 of the IPC read with Section 24 of the Assam Forest Regulation Act, 1891.

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

It may be mentioned that this Court, by order, dated 14.10.2020, granted the privilege of interim pre-arrest bail to the petitioner, subject to conditions.

Perusal of the case diary reveals that there is scanty *prima facie* incriminating material against the petitioner.

On consideration of the *pros and cons* of the evidence so far collected by the I.O., this Court finds that custodial interrogation of the petitioners may not be necessary in the interest of ongoing investigation.

It is also noticed that the petitioner appeared before the investigating officer and got his statement recorded under Section 161 Cr.P.C. as per the interim pre-arrest bail granted earlier. The petitioner is co-operating in the investigation and there is no adverse report against the petitioner from the I.O.

Accordingly, the interim pre-arrest bail, granted vide order, dated 14.10.2020 is hereby made absolute, subject to the condition that he shall co-operate in investigation as and when required and he shall not commit similar offence, of which he is suspected commission.

Return the case diary.

This disposes off the application.

JUDGE

Comparing Assistant