GAHC010147452020

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

Case No. : AB/2924/2020

LALITA MALLIK AND ANR
W/O. LT. BIPUL MALLIK, R/O. BOHA BARDOLONI, P.S. MAYONG, DIST. MORIGAON, ASSAM.

2: BIPUL MALLI

VERSUS

THE STATE OF ASSAM
REP. BY PP, ASSAM.

Advocate for the Petitioner : MR A SHARMA

Advocate for the Respondent : PP, ASSAM

BEFORE

THE HON'BLE MR JUSTICE PRASANTA KUMAR DEKA

O R D E R

26. 11. 2020

Heard Mr. A Sarma, learned counsel for the petitioners. Mr. D Das, learned Additional Public Prosecutor for the State of Assam produced the case diary.

By this application under Section 438 Cr.P.C., the petitioners, namely, Smt. Lalita Mallik and Bipul Mallik sought pre-arrest bail in connection with Mayong PS case No. 141/2020 under Section 366/376/294/307/325/34 of IPC.

On perusal of the case diary, it is found that there was no injury both in her body and private part of the victim which is contrary to the contents of the FIR. Accordingly, I am satisfied to make the order dated 21.10.2020 absolute considering the nature of allegation on the following terms and conditions.

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

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

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

(4) The petitioners shall appear before the Officer-in-charge, Mayong PS 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.

Accordingly, petition stands disposed of. Send back the case diary.

JUDGE

Comparing Assistant