GAHC010147472020

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

Case No. : AB/2943/2020

RINGRANAG TAIRING AND ANR
S/O- KAMABIN, R/O- VILL.- WARA GAON, MARGHERITA, P.S. AND P.O. LEKHAPANI, DIST.- TINSUKIA, ASSAM- 786182.

2: LAMABANG TAIRIN

VERSUS

THE STATE OF ASSAM
REP. BY THE PUBLIC PROSECUTOR, ASSAM.

Advocate for the Petitioner : MR W R MEDHI

Advocate for the Respondent : PP, ASSAM

B E F O R E

HON'BLE MR. JUSTICE HITESH KUMAR SARMA

01-12-2020

This is an application, filed under Section 438 of the Cr.PC. seeking pre-arrest bail of the accused-petitioners, namely, ***1) Ringranag Tairing, and 2) Lamabang Tairing,*** in connection with ***Lekhapani P.S. Case No.96/2020 (G.R. Case No.667/2020)*** registered under Sections ***379*** of the Indian Penal Code, read with Section 34/35/41 of the Assam Forest Regulation (Amendment) Act.

Heard Mr. F. Khan, learned counsel for the petitioners. Also heard Mr. NJ Dutta, learned Additional Public Prosecutor, Assam, for the State Respondent.

Case diary produced has been perused.

On perusal of the case diary, it appears that the petitioners are not named in the FIR and, from the materials produced, the petitioners appears to be the persons collecting fire woods from the forest. Considering the nature of the offence alleged, it does not appear to this Court that custodial interrogation of the petitioners is not necessary.

Hence, the petitioners are entitled to the privilege of pre-arrest bail.

Accordingly, it is provided that in the event of arrest of the petitioners above named, in connection with the case aforementioned, they shall be released on bail on furnishing bail bond of Rs.10,000/- each, with a suitable surety each of the like amount, to the satisfaction of arresting authority.

The direction for pre-arrest bail is subject to the conditions that the petitioners :

(a) shall appear before the Investigating of concerned Police Station, within seven days from today and shall co-operate with the investigation;

(b) shall not hamper with the investigation, or tamper with the evidence of the case;

(c) 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.

The petition stands disposed of accordingly.

Return the case diary.

JUDGE

Comparing Assistant