GAHC010159302020

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

AB/2948/2020

SHIR KHAN
S/O- BAHADUR KHAN
R/O- VILL
P.O. AND P.S. PATHARKANDI
DIST.- KARIMGANJ
ASSAM.

VERSUS

THE STATE OF ASSAM
REP. BY THE P.P.
ASSAM.

Advocate for : MR. N ALAM R K
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

22-12-2020

This is an application under **Section 438 Cr.P.C**., praying for pre-arrest bail by the petitioner, namely, **Shir Khan,** in connection with **Patharkandi Police Station Case No. 562 of 2020**, registered **under Sections 447/457/354/294/34 of the IPC.**

Heard Mr. A. Rahman, learned counsel appearing for the petitioner and Mr. M.P. Goswami,

learned Additional Public Prosecutor for the State.

The case diary produced, has been perused including the statement of the victim.

On perusal of the materials in the case diary, it appears that there is a dispute between the parties in respect of some money. It is alleged that the petitioner had attempted to disrobe and outrage the modesty of Rukia Begum and her mother.

Considering the nature of offences alleged in the FIR itself, this Court is of the view that custodial interrogation of the petitioner is not essential for the purpose of investigation of this case. Therefore, he is granted the privilege of pre-arrest bail.

Accordingly, the interim pre-arrest bail granted to the petitioner, vide order dated 21-10-2020, 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