GAHC010155962020

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

Case No. : AB/3125/2020

SADHAN DAS
S/O- LT. RATHINDRA KR. DAS, R/O- VAISHALI HOUSING SOCIETY, FLAT NO. B/2, SECOND FLOOR, P.S. PALTAN BAZAR, GHY-08, DIST.- KAMRUP (M), ASSAM

VERSUS

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

Advocate for the Petitioner : MR. B BORAH

Advocate for the Respondent : PP, ASSAM

BEFORE

HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN

ORDER

03.12.2020

By this pre-arrest bail application under Section 438 CrPC, petitioner, namely, Sri Sadhan Das, has sought for pre-arrest bail, in the event of his arrest in connection with Paltan Bazar PS Case No. 770/2020, registered under Sections 406/420/294/506 IPC

Heard the submissions of learned counsel for both the parties.

Today, the Case Diary has been produced. Perused the same.

The petitioner, herein, filed a civil suit as regards the disputed land and he obtained a decree. At the time of execution of the decree, the informant tried to project his right over the disputed land and thereafter, lodged the present FIR.

The entire episode revolves around a civil dispute and no criminal liability can be attributed to the petitioner.

Having regard to the submissions made, this Court is of the opinion that custodial interrogation of the accused petitioner is not warranted. Accordingly, the interim bail order dated 02.11.2020, is hereby made absolute.

Anticipatory Bail Application stands disposed of.

Return the Case Diary.

JUDGE

Comparing Assistant