GAHC010159162020

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

Case No. : Bail Appln./2426/2020

TAPAN KALITA
S/O LATE BAPURAM KALITA, R/O VILL-KOTOKIYA, P.O. AND P.S.-GHOGRAPARA, DIST-NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. K K NANDI

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR. JUSTICE PRASANTA KUMAR DEKA
ORDER

27.11.2020.

Heard Mr. K. K. Nandi, the learned counsel for the petitioner. Also heard Mr. D. Das, the learned Additional PP, Assam who produced the Case Diary.

By this application under Section 439 of the Cr.P.C. the accused-petitioner namely Sri Tapan Kalita is seeking bail in connection with Rangia P.S. Case No. 969/2020 under Sections

120(B)/465/466/468/470/471 of the IPC.

Rangia P.S. Case No. 969/2020 under Sections 120(B)/465/466/468/470/471 of the IPC arose out of FIR No. 132/2019 dated 28.02.2019 lodged by the Regional Manager, United India Insurance Company thereby alleging fraudulent production of police record while filing MAC Case No. 2421/2019. On the basis of the said FIR, the present petitioner was arrested on 14.10.2020. The acts alleged against the present petitioner are that he is the agent of the advocate who was suspected to supply the fake certified copy of FIR, Seizure list from the learned court of SDJM, Rangia. I have perused the Case Diary and the statement of the present petitioner. Moreover, the evidence in the investigations are all of documentary nature and as the same are already seized, in my considered opinion further custodial interrogation of the present petitioner is not required as such I am satisfied to grant the bail to the petitioner-accused.

Accordingly, the accused-petitioner, named above, shall be released on bail in connection with the Rangia P.S. Case No. 969/2020 on furnishing bail bond of Rs.15,000/- with one suitable surety of the like to the satisfaction of the learned SDJM, Rangia on the following condition:-

(1) The accused-petitioner shall not be leave the territorial jurisdiction of the learned SDJM, Rangia without prior permission from the said learned court,

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

(3) The accused-petitioner 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.

(4) 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, this bail application stands disposed of.

Send back the Case Diary.

JUDGE

Comparing Assistant