GAHC010166522020

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

Case No. : AB/3348/2020

HIMANGSHU RAJ BARMAN
S/O. PRABIN BARMAN, VILL. AMONI, P.S. BELSOR, PIN-781306, DIST. NALBARI, ASSAM.

VERSUS

THE STATE OF ASSAM
REP. BY PP, ASSAM.

Advocate for the Petitioner : MR. N D BHUYAN

Advocate for the Respondent : PP, ASSAM

B E F O R E

HON'BLE MR. JUSTICE HITESH KUMAR SARMA

18-12-2020

This is an application, filed under Section 438 of the Cr.PC. seeking pre-arrest bail of the accused-petitioner, namely, ***Himangshu Raj Barman,*** in connection with ***Belsor P.S. Case No.277/2020*** registered under Sections ***341/325/307/34*** of the Indian Penal Code.

Heard Ms. N.D. Bhuyan, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor, Assam appearing for the Respondent State.

Case diary produced has been perused.

It has been alleged in the FIR that the injured Animesh Barman was assaulted and he was grievously injured by the accused petitioner and, as such, he was referred to S.M.K.C.H. Hospital at Nalbari for his medical treatment. The medical certificate available in the case diary shows that the injured sustained no external injury.

Such being the medical certificate, this Court is of the view that this is a fit case for granting the privilege of pre-arrest bail and, hence, granted.

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

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

(a) shall appear before the Investigating Officer 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