GAHC010172462020

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

Case No. : AB/3459/2020

MONESWAR BASUMATARY AND 2 ORS
S/O LABA BORO
R/O VILL-JABANGA PATHAR
P.S.-PANERI
DIST-UDALGURI (BTAD)
ASSAM

2: PABITRA BORO
S/O SUREN BORO
R/O VILL-JABANGA PATHAR
P.S.-PANERI
DIST-UDALGURI (BTAD)
ASSAM

3: CHANDAN DAS
S/O AKAN DAS
R/O VILL-NO. MAHALIYA PARA
P.S.-TANGLA
DIST-UDLAGURI (BTAD)
ASSAM
VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

Advocate for : MR A NATH
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MRS. JUSTICE RUMI KUMARI PHUKAN

ORDER

Date : 14-12-2020

By this application under Section 438 CrPC, petitioners, namely, 1) Shri Moneswar Basumatary, 2) Shri Pabitra Boro and 3) Shri Chandan Das, have sought for pre-arrest bail in the event of their arrest in connection with Tangla PS Case No. 155/2020, under Sections 13/14 of the Assam Game and Betting Act, 1970.

Heard the learned counsel for both the sides.

I have gone through the documents annexed and the FIR and the Case Diary.

On 18.10.2020, the Police apprehended one person, namely Rama Rabha and one S Ali along with six numbers of motor cycle, one copy used in DELUXE gambling, coupon and cash amount of Rs. 420.00. Now, the Case Diary reveals that the petitioners were simply present in the given place.

As the main accused has already been arrested, it appears that the custodial interrogation of the present petitioners is not warranted.

Accordingly, the interim bail order dated 01.12.2020, is hereby made absolute.

Anticipatory Bail Application stands disposed of.

Return the Case Diary.

JUDGE

Comparing Assistant