GAHC010177172020

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

Case No. : Bail Appln./2755/2020

PANKAJ BORAH
S/O. LT. GOVIND BORAH, R/O. W. NO.9, NAUKUTI, P.O. AND P.S. MORIGAON, DIST. MORIGAON, ASSAM-782105.

VERSUS

THE STATE OF ASSAM
REP. BY PP, ASSAM.

Advocate for the Petitioner : MR. B D KONWAR SR. ADV.

Advocate for the Respondent : PP, ASSAM

B E F O R E

HON'BLE MR. JUSTICE HITESH KUMAR SARMA

14-12-2020

This is an application made under Section 439 Cr.P.C., seeking bail by the accused-petitioner, namely, ***Sri Pankaj Borah***, in connection with ***ACB P.S. Case No.12/2020***, registered under Section ***7(a) of Prevention of Corruption Act, 1988 (as amended in 2018).***

Heard Mr. B.D. Konwar, learned senior counsel for the petitioner. Also heard Mr. NJ Dutta, learned Additional Public Prosecutor, Assam, appearing for the State Respondent.

This is the second bail application for the petitioner. The first such application of the petitioner was rejected vide order dated 20.11.2020. Now the learned senior counsel for the petitioner has prayed for bail only on the ground of length of detention of the petitioner for 57 days as on date with effect from 19.10.2020. The learned Additional Public Prosecutor has also submitted that this Court may consider the length of detention of the petitioner.

In view of the above, considering the materials on record and particularly the length of detention of the petitioner for 57 days as on date, the petitioner is granted the privilege of bail.

Accordingly, the accused-petitioner, named above, shall be released on bail in connection with the case aforementioned on furnishing bail bond of Rs.20,000/- with one suitable surety of the like amount, to the satisfaction of learned Special Judge, Assam.

The direction for bail is further subject to the conditions that the accused-petitioner:

(a) shall not leave the territorial jurisdiction of learned Special Judge, Assam, without prior written permission from him;

(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.

In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant