

AB 3173/2012

BEFORE

THE HON'BLE MR. JUSTICE C.R. SARMA

Heard Mr. A.K. Purkayashta, learned Counsel appearing for the petitioner. Also heard Mr. B/S. Sinha, learned Additional Public Prosecutor, who has produced the case diary.

By this application filed under section 438 Cr.P.C., the petitioner Mr. Rupjyoti Das @ Trikul Rajguru, has prayed for pre-arrest bail in connection with Chandmani P.S. Case No. 4311/2012 under sections 294/507/420 IPC.

The matter relates to sending of obscene sms to various persons from Mobile No. 8811958063 which number was diverted to the Mobile No. 9864155730 of the informant. From the forwarding report submitted in respect of accused Ashish Pal, it appears that the said Mobile No. from which sms were sent was registered in the name of Shri Ashish Pal who was arrested by the Police.

Having heard the learned counsel for the parties and considering the materials so far collected by the Investigating Officer, I do not find sufficient reason for custodial detention or interrogation of the petitioner. Accordingly, the interim order dated 2/8/2012 is made absolute subject to the condition that the petitioner shall appear before the Investigating Officer as and when so required.

Return the case diary.

Bail application stands disposed.