

**BEFORE
HON'BLE MR. JUSTICE S.R. SEN
AB (SH) No. 58 of 2013**

29.05.13

Heard Mr. G Marak, the learned counsel for the petitioner who submits that from the FIR, it is nowhere reflected that the petitioner/accused is involved in the case. Besides that he is appearing before the IO regularly, so his custody is not necessary and the police can investigate the case without his custody.

Mr. R Gurung, the learned PP objected the bail application further submits that the accused is the prime accused and for the purpose of fair investigation, custody is very much required.

The IO Mr. WM Marbaniang, is present in the Court, produced the CD and prayed for custody.

I have perused the CD.

After perusal of the CD, I could not find sufficient materials to my satisfaction that bail can be considered at this stage; rather in my view investigation may be hampered. Hence, bail application is hereby rejected and stands disposed of.

Interim order passed earlier on 20.05.13 stands withdrawn.

Registry is directed to return the CD to the IO concerned along with a copy of this order immediately.

JUDGE

V. Lyndem.