

AB 4570/2013  
OBEFORE

HON'BLE MR. JUSTICE C.R. SARMA

Heard Mr. HRA Choudhury, learned senior counsel assisted by Ms. R. Rangmai. Learned counsel appearing for the petitioners. Also heard Ms. B. Saikia, learned addl. P.P., Assam, appearing for the State respondent.

Perused the C.D.

By this application filed under Section 438 Cr.P.C. the petitioners, namely, Sri Sudarson Kurmi and Sri Deep Narayan Kurmi have prayed for pre-arrest bail in connection with Silchar P.S. Case No. 2075/2013 under Sections 120/406/409/468/471/467

/167/166 IPC read with Section 7/13 (I)(c)/13(1)(d) P.C. Act, 1988.

The matter relates to mis-appropriation of money in the Cachar Zila Parishad.

From the record it appears that huge amount of money from the bank account of the said Zila Parishad was withdrawn through cheques. The cheques were jointly signed by the concerned Chief Executive Officer and the accountant.

The learned senior counsel appearing for the petitioner has submitted that the petitioners are office peons and that they have no role in preparing the cheques aforesaid inasmuch as they are to obey the orders of Superior officers.

Having heard the learned counsel appearing for both the parties and considering the nature of allegations as well as evidence so far collected by the I.O.,

I find no necessity for custodial interrogation of the petitioners.

Accordingly, it is directed that, in the event of arrest of the petitioners in connection with the above mentioned P.S. Case, they shall be released on bail of

Rs. 20,000/- each with one local surety each of the like amount to the satisfaction of the Arresting Authority subject to condition that they will appear before the Investigating Officer within 7 days from this date or on such other dates as may be so required for the purpose of investigation.

Return the C.D.

The bail application is disposed of.