

AB 1860/2013

PRESENT

HON'BLE MR JUSTICE M.R. PATHAK

Heard Mr B Sarma, learned counsel for the petitioners and Mr B S Sinha, learned Additional Public Prosecutor.

Learned Additional Public Prosecutor produced case-diary of Sarthiabari PS Case No 94/2013 under Sections 147/148/149/307/323/324/325/326/34 of the IPC.

Petitioners Dibakar Nath, Tankeshwar Nath, Jogen Boro, Mahananda Nath, Narayan Nath, Pranjit Nath, Tolen Nath, Arup Nath, Utpal Boro, Hitesh Nath, Raju Boro, Sarajit Nath, Dalim Nath, Kamakhya Nath, Deben Nath, Khargeshwar Nath, Ram eshwar Nath, Monoj Nath, Gunadhar Nath, Pranab Nath, Sankar Pathak, Tilak Pathak , Pradip Nath, Sunil Nath and Dibakar Nath have filed this bail application unde r section 438 of the CrPC for granting pre-arrest bail in connection with Sarthi abari PS Case No 94/2013 under Sections 147/148/149/307/323/324/325/326/34 of th e IPC.

From perusal of case-diary and the evidence so far collected by the investigating officer, this Court is of opinion that custodial detention of the petitioners for interrogation in connection with this case is not warranted. Hence this application for pre-arrest bail is accepted. Accordingly, interim bail granted by th is Court on 7.5..2013 is hereby made absolute. However, it is made clear that th ey will appear before investigating officer whenever they are required; cooperat e with the investigating officer; and will not leave the jurisdiction of the lea rned CJM, Barpeta without his written permission;.

In terms of above the bail application is disposed of. Return the case-diary.