

AB 2014/2016

BEFORE

THE HON'BLE MR. JUSTICE M. R. PATHAK

This is an application made under Section 438 Cr.P.C., seeking pre-arrest bail by the petitioner, namely, 1. Sri Krishna Borah and 2. Sri Lakhan Chutia, in connection with Golaghat Police Station Case No. 718/2016, registered under Sections 406/420 IPC.

Heard Mr. BM Choudhury, learned counsel appearing for the petitioner and Mr. TK Mishra, learned Additional Public Prosecutor, appearing for the State. Perused the relevant case diary produced today by the learned Additional Public Prosecutor including the statement other evidence so far collected by the concerned I/O.

After perusal of the case diary and the statement of the witnesses so far recorded by the concerned I/O, this Court is of the view that custodial interrogation of the petitioner is not warranted for necessary investigation of Golaghat Police Station Case No. 718/2016. Accordingly, the prayer for pre-arrest bail made by the petitioner is hereby accepted.

The petitioner is already on interim bail in the aforesaid Golaghat Police Station Case No. 718/2016, granted by this Court on 23-09-2016, the same is hereby made absolute.

The direction for pre-arrest bail is further subject to the condition that the petitioner shall appear before the concerned Investigating Officer of the Golaghat Police Station Case No. 718/2016 as and when required for necessary investigation of the case, shall not hamper or tamper with the witnesses of the case and 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.

Any violation of the aforesaid terms and conditions by the petitioner, the privilege of pre-arrest bail granted to him in the aforesaid Golaghat Police Station Case No. 718/2016 shall stand automatically vacated.

In terms of the above, this pre-arrest bail application of the petitioner stands disposed of.

Return the case diary.