

AB 1391/2016
BEFORE

HON'BLE MR JUSTICE M.R.PATHAK

This is an application under Section 438 Cr.P.C. seeking pre-arrest bail by the petitioner, namely, Sri Pimal Mushahary in connection with Serfanguri P. S. Case No. 40/2016 corresponding to G.R.Case No. 599/2016 under Sections 379/411 IPC read with Section 40/41 of Assam Forest Regulation.

Heard Mr. M. Sarania, learned counsel for the petitioner and Mr. B. B. Gogoi, learned Addl. P.P. appearing for the State respondent.

In the present case the police have already seized the 'sal logs' from the premises of the petitioner which are seemed to be stolen. The case diary reveals that the petitioner is not involved in timber business and for the purpose of his house that is under construction and the petitioner purchased those 'sal logs' from the seller who are involving for sale of such stolen forest products,

Considering the same this court is of the opinion that custodial interrogation of the petitioner is not warranted to investigate the said Serfanguri P. S. Case No. 40/ 2016. Accordingly, bail prayer of the petitioner is accepted.

In the event of arrest of the petitioner named above, in connection with Serfanguri P. S. Case No. 40/ 2016, he shall be released on bail on furnishing bail bond of Rs.30,000/- with two local sureties of the like amount to the satisfaction of the arresting authority on condition that the petitioner shall appear before the concerned I.O. of Serfanguri P. S. Case No. 40/ 2016 by 09.09.2016 for recording at his statement, shall co-operate with the I.O. of said Serfanguri P. S. Case as whenever he is required for necessary investigation of the case, shall not hamper/tamper the evidence and shall not threat /intimidate the informant and other witnesses of the case.

Any violation of the aforesaid terms and condition by the petitioner, bail granted to him in above noted Serfanguri P. S. Case No. 40/ 2016 shall stand automatically vacated.

In terms of the aforesaid direction, this bail petition is disposed of.

Return the case diary.