

BA 43/2017
BEFORE
HON'BLE MR JUSTICE A. BORTHAKUR

By this application under Section 439 Cr.P.C., the accused Sri Tai Kumar (Advocate), who has been detained in jail custody, has prayed for granting bail in connection with Itanagar P.S. Case No. 300/2017 under Section 364 A/34 IPC.

Heard Mr. T. Bayor, learned counsel for the accused and Ms. M. Tang, learned Addl. Public Prosecutor, appearing for the State respondent.

The Case Diary, as called for, is placed before the Court.

Mr. Bayor, learned counsel for the accused submits that the accused has been in custody since he was arrested on 21.11.2017 and that he is an Advocate by profession and further he has been falsely dragged in to the case.

Ms. Tang, learned Addl. PP submits that in view of the long detention of the accused viz-a-viz nature of prima-facie materials so far collected by the I.O., further investigation will not be adversely affected, if he is allowed to go on bail, as prayed.

The Case relates to kidnapping of informant's son for ransom.

Perusal of the Case Diary reveals that there are prima-facie incriminating materials against the accused and the investigation has substantially progressed with the recovery of the kidnapped informant's son. Therefore, this Court is of the opinion that if the liberty of bail is granted to the accused, further investigation is unlikely to be adversely affected. Therefore, it is directed that the accused, named above, shall be released on bail of Rs.20,000/- with one surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Yupia, subject, of course, to the following conditions:-

- (1) that the accused shall co-operate with the I.O. in investigation as and when required; and
- (2) that the accused 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 Investigating Officer and to the Court.

With the above direction, this bail application stands disposed of.

Return the Case Diary to the learned Addl. PP.