

AB 2553/2017  
BEFORE

HON'BLE MRS JUSTICE RUMI KUMARI PHUKAN

Heard learned counsel for the petitioners and Mr. T. K. Mishra, learned Addl. P. P. as well as Mr. R. Islam, learned counsel appearing for the informant.

On perusal of the case diary and after hearing the learned counsel for the parties it transpires that the incident that had happened on the fateful day on the occasion of holding General Meeting for re-constitution of the School Managing Committee NKME Madrassa, Nepurer Alga, there was a demand from both the parties for a tiny matter and in the process there was a chaos between them but there is no such serious injury on any person save and except some casual altercation. There is absolutely no material as regards outrage of modesty of any woman. The accused petitioners also could not attribute for the offence U/S 353 IPC as because there was chaotic situation in the process of constitution of Annual General Meeting. It appears that there is some exaggeration in the FIR which can be avoided.

Learned counsel for the informant has also filed an I.A.(Cr1) 799/17 with the intimation that petitioners side and other side after obtaining interim order of bail from the Court, the Managing Committee has been reconstituted.

Considering the matter in its entirety, this Court is of the opinion that custodial interrogation of the accused petitioner is not necessary as the prime dispute has already been resolved. Accordingly, interim bail granted to the petitioners by this Court on 7.11.2017 is hereby made absolute with direction that they shall appear before the I.O. as and when required and not to hamper and temper with the investigation and also not to make any threat to the witnesses for smooth functioning of the investigation.

Both the A.B.2553 of 2017 and I.A(Cr1) 799/2017 stand disposed of.