

GAHC010023462018



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : AB 357/2018**

1:SANJIB GOGOI  
S/O LT. SOMESWAR GOGOI  
R/O VILL- RANGCHALI  
.O. BORHOLLA  
P.S. BORHOLLA, DIST. JORHAT,  
ASSAM, PIN - 785631.

VERSUS

1:THE STATE OF ASSAM  
REP. BY P.P. ASSAM, GUWAHATI

**Advocate for the Petitioner** : MRS. B GOGOI

**Advocate for the Respondent** : PP, ASSAM

**BEFORE**  
**HONOURABLE MRS. JUSTICE RUMI KUMARI PHUKAN**

**ORDER**

**Date : 28-02-2018**

By this application u/s 438 of the CrPC accused petitioner **Sanjib Gogoi** prayed for anticipatory bail in connection with **Borholla** P.S.Case No.13/2018 U/Ss 143/447/448/427/506/379 IPC.

Heard Ms. B.Gogoi, learned counsel for the accused petitioner and Mr N. Kalita, learned additional public prosecutor for the State.

Perused the record, documents and case diary.

Referring to Annexure-A it has been submitted that the present petitioner along with other persons lodged an FIR against the husband of the informant as on 26.1.2018 ad on the next

date i.e. on 27.1.2018 wife of Sariful Khan lodge an FIR as a counter blast.

Witnesses so far examined have not supported the contention raised by the informant regarding theft of articles and also to the extent of damage.

Taking into all above and the fact that the present FIR is a counter blast to the FIR filed by the present petitioner due to hostility between the parties, cannot be ruled out.

I view of the nature of accusation, it transpires that custodial interrogation of the accused petitioner is not warranted and he is allowed to go on pre-arrest bail, in the event of arrest in connection with the aforesaid case on furnishing bail bond of Rs 10,000/- with a surety of the like amount to the satisfaction of the arresting authority.

A .B. stands disposed of.  
Return the case diary.

**JUDGE**

**Comparing Assistant**