

GAHC010098012018



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

**Case No. : AB 1377/2018**

1: BABUL CHANDRA DAS @ BABLU DAS  
S/O LATE MADHAB DAS, R/O HOUSE NO. 126 9(A), KHARGULI,  
MALIBAGAN, GUWAHATI 781004, P.S. LATASIL, DIST. KAMRUP (M),  
ASSAM.

VERSUS

1: THE STATE OF ASSAM  
REPRESENTED BY PP, ASSAM.

**Advocate for the Petitioner : MR. B D GOSWAMI**

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

**BEFORE**  
**HONOURABLE MR. JUSTICE HITESH KUMAR SARMA**

**ORDER**

**Date : 31-07-2018**

Heard Mr. BD Goswami, learned counsel assisted by Mr. NNB Choudhury, learned counsel for the accused-petitioner as well as Mr. NJ Dutta, learned Additional Public Prosecutor, appearing for the State of Assam.

This is an application, filed under Section 438 of the Cr.PC. seeking pre-arrest bail of the accused-petitioner, namely, ***Sri Babul Chandra Das @ Bablu Das***, in connection with ***All Women PS Case No. 37/2018*** registered under Sections 294/323/354/506 of the IPC.

Perused the petition as well as the annexures furnished therewith. Also perused the case diary produced before this court.

The materials in the case diary speak of using abusive language by the accused-petitioner towards the informant as well as throwing a brick to her. That being so, it does not appear that there is any offence of outraging the modesty of the informant and as such this is a fit case to grant the privilege of pre-arrest bail to the accused-petitioner.

Accordingly, the interim pre-arrest bail granted by this Court to the accused-petitioners, on 14.05.2018, is made absolute with the following conditions.

The accused-petitioner:-

- (a) shall not leave the territorial jurisdiction of concerned Police Station, without prior written permission from its Officer-In-Charge;
- (b) shall not hamper with the investigation, or tamper with the evidence of the case, and
- (c) 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.

This petition stands disposed of accordingly.

Return the case diary.

**JUDGE**

**Comparing Assistant**