

GAHC010176702018



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

Case No. : AB 2479/2018

1:POONAM ISLAM @ POONAM ROY
D/O TARUN CHANDRA ROY, W/O AZINUR ISLAM, R/O VILLAGE
HEDAYATPUR, PS AND DIST. GOALPARA, ASSAM

VERSUS

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

Advocate for the Petitioner : MR. M A SHEIKH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

Date : 30-08-2018

This is an application, filed under Section 438 Cr.PC, praying for pre-arrest bail of the petitioner, namely, Poonam Islam @ Poonam Roy, in connection with Mornoi PS Case No. 55/2018 under Section 380 IPC.

Heard Mr. M.A. Sheikh, learned counsel for the petitioner as well as Ms. S.H. Bora, learned Additional Public Prosecutor for the state respondent.

Case diary produced has been perused.

It appears from the materials in the case diary that the petitioner is the niece of the informant and used to stay in the house of the informant off and on. She is alleged to have committed theft of some gold ornaments from the house of the informant. Considering the relationship between the parties as well as the fact that the petitioner is a lady, her custodial interrogation is not necessary, and accordingly, her prayer is allowed.

The petitioner shall appear before the investigating police officer within 7 (seven) days from

today, and, in the event of her arrest, she shall be released on furnishing a bail bond of Rs. **10,000/-** with one suitable surety of the like amount to the satisfaction of the arresting authority, on the following conditions:

- (1) The petitioner shall not leave the territorial jurisdiction of the aforesaid police station, without prior written permission from its officer-in-charge,
- (2) The petitioner shall not hamper with the investigation, or tamper with the evidence of the case, and
- (3) The petitioner 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 her from disclosing such facts to the Court or to any police officer.

The petition stands disposed of accordingly.
Return the case diary.

JUDGE

Comparing Assistant