

GAHC010226532018



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

Case No. : AB 3160/2018

1:REKHA PRAVA NATH
W/O KUNDIL SAIKIA
R/O VILL- KHELMATI
P.S. SADAR
WARD NO. 14,
DIST. LAKHIMPUR, ASSAM

VERSUS

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

Advocate for the Petitioner : MR. D BORA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

Date : 21-12-2018

This is an application, filed under Section 438 Cr.PC, praying for pre-arrest bail of the petitioner, namely, Sri Rekha Prava Nath, in connection with Doboka PS Case No. 198/2017 under Sections 409/420 IPC.

Heard Mr. D. Bora, learned counsel for the petitioner as well as Ms. A. Begum, learned Additional Public Prosecutor for the state respondent.

Perused the petition as well as the annexures furnished therewith.

Also perused the case diary produced.

It appears from the materials in the case diary that the petitioner has been examined by the investigating officer and her statement has been recorded. She is cooperating with the

investigation. On the hand, she was arrested in a case pertaining to alleged misappropriation in some other schemes under the same block and then was released. Considering on such background facts, this court is of the view that custodial interrogation of the petitioner is not necessary, and accordingly, her prayer for pre-arrest bail 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.

25,000/- 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.
Return the case diary.

JUDGE

Comparing Assistant