

GAHC010034742019



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

Case No. : AB 437/2019

1:SYEDA SAYEDA CHOUDHURY
W/O SAMSUL HOQUE MAZUMDR, R/O NOTBOMA IMDADIA NAGAR,
HOUSE NO. 13, PO AND PS HATIGAON, DIST. KAMRUP (M), ASSAM

VERSUS

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

Advocate for the Petitioner : MR. A M BARBHUIYA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

Date : 30-04-2019

Heard Mr. AM Borbhuiya, learned counsel for the petitioner. Also heard Mr. TK Mishra, learned Additional Public Prosecutor, Assam.

By this application filed under Section 438 of the Cr.P.C., the petitioner, namely **Syeda Sayeda Choudhury** has prayed for pre- arrest bail in connection with **Hatigaon P.S. Case No. 93/2019 registered under Sections 294/468 of the IPC.**

Case diary, as called for, is placed before the court and perused.

Mr. AM Borbhuiya, learned counsel for the petitioner submits that after obtaining the interim pre-arrest bail vide order, dated 19.02.2019, the petitioner is cooperating in the investigation and as such, his further custodial interrogation may not be required.

Mr. TK Mishra, learned Addl. PP, Assam accedes to the submission of the learned counsel for the petitioner and he has no objection in the event of granting anticipatory bail in favour of the petitioner.

On perusal of the case diary and upon hearing the learned counsels for both sides, this court finds that the petitioner is cooperating in the investigation and as such, his custodial interrogation is not necessary.

For the reasons stated above, the interim pre-arrest bail order, dated 19.2.2019, is hereby made absolute, subject to the conditions (i) that the petitioner shall cooperate in the investigation as and when required; (ii) that she shall not directly or indirectly hamper in the investigation or tamper with the evidence of the case; and (iii) that she shall not directly and indirectly threat or induce any person acquainted with the facts of the case from disclosing such facts and circumstances to the police officer or to the court.

Return the case diary.

With the above directions, this anticipatory bail application is disposed of.

JUDGE

Comparing Assistant