

GAHC010255522019



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

Case No. : AB 3691/2019

1:MINTU HAZARIKA
S/O LATE BAPURAM HAZARIKA, R/O RLY QR 73/A NAMBARI, MALIGAON,
P.O.-MALIGAON, P.S.-JALUKBARI, DIST-KAMRUP (M), ASSAM, PIN-781011,
PERMANENT ADDRESS-H/N-05, HATIGAON LAKHIMI NAGAR, NAMGHAR
PATH, DIST-KAMRUP(M), ASSAM, PIN-781006

VERSUS

1:THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. R D BHUYAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 20-12-2019

Heard the learned counsel, Mr. R. D. Bhuyan appearing for the petitioner.
Also heard Mr. H. Sarma, learned Addl. P.P. appearing for the State of Assam.

By this application filed under Section 438 of the Cr.P.C., the applicant, namely, *Mintu Hazarika* has prayed for releasing him on bail in connection with Jalukbari P.S. Case No. 1544/2019 under Sections 498A/323/500 of the IPC read with Section 4 of the Dowry Prohibition Act.

After 15 years of marriage, the informant lady has alleged that her husband used to beat her for want of money, which he wanted her to bring from her father's house. The couple has two children, eldest being 14 years old and youngest being 7 years old.

After perusal of the Case Diary, this Court found that there are absolutely no materials against the petitioner to justify his detention in judicial custody.

Considering the aforesaid submissions made above, it appears that the accused petitioner does not deserve to be detained in custody.

Accordingly, it is hereby directed that in the event of arrest, the accused, namely, *Mintu Hazarika*, shall be released on bail on his furnishing a bail bond of Rs. 10,000/-, with one suitable surety of like amount to the satisfaction of the arresting authority, subject, of course, to the following conditions:

1. That the applicant 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 either to the Police officer or to the Court;
2. That the applicant shall co-operate in the investigation of the case as and appear before the Investigating Officer as and when required; and
3. The applicant shall not commit any similar offence of which he is suspected to have committed.

With the above direction, this anticipatory bail application stands **disposed of**.

JUDGE

Comparing Assistant