

GAHC010268882018



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

**Case No. : AB 3771/2018**

1:SARDAR MIYAN  
S/O LATE JAHAR MIYAN, R/O VILLAGE DURAHATI, PS DHUBRI, DISTRICT  
DHUBRI, ASSAM, PIN-783301

VERSUS

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

**Advocate for the Petitioner** : MR. B CHOWDHURY

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

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

**ORDER**

**Date : 31-01-2019**

Heard Mr. B Chowdhury, learned counsel for the accused-petitioner as well as Mrs. A Begum, learned Additional Public Prosecutor, appearing for the State respondent.

This is an application, filed under Section 438 of the Cr.PC. seeking pre-arrest bail of the accused-petitioner, namely, **Sardar Miyan**, in connection with **Dhubri P.S. Case No. 188/2018** registered under Sections 366(A)/34 of the IPC.

Perused the case diary produced before this court.

The victim has already been recovered. The accused-petitioner who is specifically named to have kidnapped the victim has already been enlarged on bail. The role of the present petitioner in the commission of the alleged offence is lesser than that of the accused-petitioner, who has already been

granted bail.

That being so, the accused-petitioner is ***granted*** the privilege of pre-arrest bail.

The accused-petitioner shall appear before the Investigating Police Officer within a period of 7 (seven) days from today, and, in the event of his arrest, he 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 him from disclosing such facts to the Court or to any police officer.

Return the case diary.

The petition stands disposed of accordingly.

**JUDGE**

**Comparing Assistant**