

GAHC010269052019



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

Case No. : AB 3911/2019

1:SMTI. SUNUMANI SEN @ RIJUMANI SEN
W/O SRI AJIT SEN, R/O VILL-KARICHUK ANU NAGAR, P.S.-DHEMAJI, P.O.-
ARADHAL, DIST-DHEMAJI (ASSAM), PIN-787057

VERSUS

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

Advocate for the Petitioner : MR P SHARMAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 29-11-2019

Heard Mr. P. Sarmah, learned counsel for the petitioner as well as Mr. K. Konwar, learned Additional Public Prosecutor for the State, Assam. Also heard Mr. S. Y. Ahmed, learned counsel who has appeared for the Informant.

By this petition under Section 438, Code of Criminal Procedure, 1973, the petitioner, namely, Smti. Sunumani Sen @ Rijumani Sen has prayed for pre-arrest bail, apprehending her arrest, in connection with Dhemaji P.S. Case No. 433/2019, registered under Section 354/427/352/34, I.P.C.

The concerned case diary as called for, has been received.

Perused the contents of the FIR as well as the materials available in the case diary. From the case

diary, it is revealed that one of accused persons named in the FIR, Smti. Santushi Sen has admitted that she had slapped the victim on the road.

Pursuant to the interim order dated 05.11.2019, the petitioner has appeared before the Investigating Officer and her statement has duly recorded.

Upon due consideration of the materials available in the case diary, I do not find any necessity for custodial interrogation of the present petitioner for the purpose of further investigation of the case.

In view of the same, the earlier interim protection of pre-arrest bail granted to the petitioner by the order dated 05.11.2019 is hereby made absolute, subject to 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; &
- 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 bail application stands disposed of in the aforesaid terms.

Return the case diary.

JUDGE

Comparing Assistant