GAHC010110702020

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

Case No. : AB 2061/2020

1:BIBEKANANDA CHOUDHURY
S/O LT. KANDARPA KR. CHOUDHURY, R/O HOUSE NO 22, TARAJAN, NEAR
HANUMAN MANDIR, CHOLADHARA, P.S. JORHAT, DIST. JORHAT, ASSAM,
PIN-785001

VERSUS

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

Advocate for the Petitioner　　: MR. B CHAKRABORTY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

Date :　30-09-2020

　Heard Mr. B. Chakraborty, learned counsel for the petitioner. Also Heard Mr. B.J. Dutta, learned Addl. Public Prosecutor, Assam appearing for the State respondent.

　This petition under Section 438 Cr.P.C., is filed for granting the privilege of pre-arrest bail to the petitioner, namely **Bibekananda Choudhury**, apprehending arrest in connection with **Geetanagar P.S. Case No. 65/2020** registered u/s **418/500/406/34** of the IPC.

　The Case diary, as called for, is placed before the Court.

　It may be mentioned that by order, dated 27.08.2020, this Court granted the privilege of

interim pre-arrest bail to the petitioner.

It is submitted that the petitioner could not appear before the investigating officer in terms of the interim pre-arrest bail order, dated 27.08.2020 as he had to undergo surgical intervention for certain disease at Hyderabad.

In view of the above, the interim pre-arrest bail granted vide order, dated 27.08.2020 is hereby made absolute, subject to the following conditions-

(i) That the petitioner shall appear before the investigating officer within 15 days and give his statement failing which, the anticipatory bail order shall automatically stand cancelled.

(ii) That 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; and

(iii) That the petitioner shall not hamper or tamper with the investigation in any manner.

Return the case diary.

This disposes off the anticipatory bail application.

JUDGE

Comparing Assistant