

GAHC010049292021



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

Case No. : AB/814/2021

PARESH DEKA AND 2 ORS.
S/O SHRI SACHINDRA DEKA, R/O VILL-JHAKUNAPARA, P.S.-SIPAJAHR,
DIST-DARRANG, ASSAM, PIN-784145

2: MRS TULUBAL DEKA @ LUTUKAN DEKA
W/O SHRI SACHINDRA DEKA
R/O VILL-JHAKUNAPARA
P.S.-SIPAJAHR
DIST-DARRANG
ASSAM
PIN-784145

3: MRS GUNADA DEKA
W/O DEBESHWAR DEKA
R/O VILL-JHAKUNAPARA
P.S.-SIPAJAHR
DIST-DARRANG
ASSAM
PIN-78414

VERSUS

STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A M BORA

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

30.04.2021

Heard Mr. A. M. Bora, learned senior counsel assisted by Mr. B. A. Choudhury, learned counsel appearing for the applicants. Also heard Mr. B. B. Gogoi, learned Addl. P.P., Assam, appearing for the State.

The applicants have approached this Court by filing this application under Section 438 Cr.P.C. seeking the benefit of pre-arrest bail in connection with Sipajhar P.S. Case No.134/2021 registered under Sections 326/325/34 of the IPC.

By the interim order dated 16.03.2021, this Court had granted interim pre-arrest bail to the applicants.

Mr. Bora submits that no case of grievous injury has been made out against the applicants and pursuant to the interim order passed by this Court his clients have already appeared before the I.O. for recording their statements.

From the materials available in the Case Diary it does not appear to be a case of grievous injury suffered by the victim. In view of the above, there may be no justification for custodial interrogation of the applicants in this case.

Considering the above, this Anticipatory Bail application is hereby disposed of by making the interim order dated 16.03.2021 as absolute.

JUDGE

Comparing Assistant