

GAHC010011852022



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

Case No. : AB/189/2022

GAURANGA KUMAR DAS
S/O LATE KANAK LAL DAS
R/O HOUSE NO. 15, AGMARK BYE -LANE, K.R.C. ROAD, BHARALUMUKH,
GUWAHATI, PIN-781009, DIST. KAMRUP (M), ASSAM

VERSUS

THE CENTRAL BUREAU OF INVESTIGATION
REP. BY STANDING COUNSEL, C.B.I.

Advocate for the Petitioner : MR. M BISWAS
Advocate for the Respondent : SC, CBI

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

31-01-2022

The Court proceedings have been conducted through Video-Conference due to Covid-19 pandemic.

This is an application, filed under Section 438 of the Cr.PC. seeking pre-arrest bail of the accused-petitioner, namely, **Gauranga Kumar Das**, in connection with **FIR NO. RC0172021A0010, dated 21-10-2021**, filed before the CBI Authority, ACB, Guwahati, registered **under Sections 120(B)/420/467/468/471 of the IPC**, read with **Section 13(2) and 13(1)(d) of the P.C. Act, 1988**.

Heard Mr. M. Biswas, learned counsel for the petitioner. Also heard Ms. P. Das, learned counsel appearing on behalf of Mr. S.C. Keyal, learned Standing Counsel representing the CBI.

Perused the petition and annexures therewith. Also perused the order dated 22-11-2021, passed in AB No. 3826/2021 granting pre-arrest bail to one of the co-accused and the certificate issued by the Deputy General Manager of IDBI Bank Ltd stating that the petitioner has no liability with the said bank in respect of bank facilities availed by M/S Ottis Associates Pvt. Ltd.

Ms. P. Das, learned counsel appearing on behalf of Mr. Keyal, learned Standing Counsel for the CBI submits that it is necessary to record statement of the petitioner although there is no such material against the petitioner as of now. However, she has submitted that the petitioner needs to be interrogated to answer certain questions relating to the case.

On consideration of the petition, the materials placed before this Court by the petitioner and on hearing the respective learned counsel for both the parties, this Court is of the view that the petitioner deserves to be granted the privilege of pre-arrest bail. That being so, the petitioner is granted the privilege of pre-arrest bail.

Accordingly, it is provided that in the event of arrest of the petitioner above named, in connection with the case aforementioned, he shall be released on furnishing bail bond of **Rs.15,000/-**, with **a suitable surety** of the like amount, to the satisfaction of arresting authority.

The direction for pre-arrest bail is subject to the conditions that the petitioner:

- (a) shall appear before the Investigating Police Officer of concerned Police Station, within seven days from today and shall co-operate with the investigation;
- (b) shall not hamper with the investigation, or tamper with the evidence of the case;
- (c) 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.

However, it is made clear that he would be required to appear before the investigating agency and face interrogation/investigation failing which the same can be the ground for cancellation of bail.

The anticipatory bail application stands disposed of accordingly.

JUDGE

Comparing Assistant