GAHC010227632021

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

: AB/4407/2021

TUSHAR KUMAR SINGLA AND ANR.
S/O PRAG RAJ SINGLA

H. NO. 31
 SHIVA NIWAS
 1ST BYLANE
 SURVEY
 AJANTA PATH
BELTOLA
 KAMRUP (M)
 ASSAM-781028.

2: PARAG RAJ SINGLA
S/O TARSEM LAL SINGLA
 H. NO. 31
 SHIVA NIWAS
 1ST BYE LANE
 SURVEY AJANTA PATH
 BELTOLA
 KAMRUP (M)
 ASSAM-781028
 VERSUS

THE STATE OF ASSAM
REP. BY THE PP
 ASSAM

 Advocate for : MR. A M BORA
 Advocate for : PP
 ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 30-06-2022

Heard Mr.A. M. Bora, learned counsel for the petitioners. Also heard Mr. D. Das, learned Additional Public Prosecutor for the State respondent.

This application under Section 438 Cr.P.C. is preferred by accused petitioners namely, 1. Shri Tushar Kumar Singla and 2. Shri Prag Raj Singla are seeking pre arrest bail, who have been apprehending arrest in connection with **SNP/EX.24/2021** under **Section 53 (1) (a) (c) (d) (e) and 54** of the Assam Excise (Amendment) Act, 2018.

Mr. D. Das, learned Addl. P.P. while vehemently objecting the bail prayer of the petitioners submitted that custodial detention/interrogation of the petitioners shall be necessary for further interrogation inasmuch as there might be some other sources and places where the petitioners are continuing the crime.

I have perused the materials available in the case diary. Case diary reveals that materials have already been seized and after getting interim bail, the petitioners have cooperated with the Investigating officer and their statement has already been recorded by the I. O. On perusal of the case diary, it is also found that there is no such material in the case diary requiring custodial interrogation of the petitioners.

In the aforesaid back drop, the interim protection granted to the petitioner

vide order dated 28.12.2021 is made absolute on the same terms and conditions.

JUDGE

Comparing Assistant