

GAHC010028622023



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

Case No. : AB/416/2023

PARBATI DEVI AND 2 ORS.
W/O AJIT CHUHAN.

2: SUBHAWATI DEVI
W/O LATE RAJENDRA CHAUHAN.

3: CHANDAN CHAUHAN
S/O LATE RAJENDRA CHAUHAN

ALL ARE PERMANENT RESIDENT OF VILL.- MAJAIHADI

P.S.- HERONI

DIST.- WEST KARBI ANGLONG (ASSAM)

VERSUS

STATE OF ASSAM
REP. BY THE P.P., ASSAM.

Advocate for the Petitioner : MR. S K SINGH

Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

28.02.2023

Heard Mr. S.K. Singh, the learned counsel appearing for the petitioners. Also heard Mr. D. Das, learned Addl. Public Prosecutor, Assam representing the State.

This is an application under Section 438 of the CrPC in respect of Kheroni P.S. Case No.04/2023 registered under Sections 143/294/341/353 and 323 of the IPC.

On the day of occurrence, police went to execute a warrant of arrest issued by a court. The petitioners allegedly restrained and prevented the police personnel from executing the said warrant of arrest.

The case diary has some incriminating materials against the petitioners. But since the petitioners Smti. Parbati Devi and Subhawati Devi are women, this Court has decided that they need not be arrest by police in this case.

Their pre-arrest bail application is allowed.

It is hereby directed that in the event of arrest, the petitioners Smti. Parbati Devi and Subhawati Devi shall be released on bail of Rs.20,000/- each with sureties of like amount to the satisfaction of the arresting authority.

The bail application of the petitioner Chandan Chauhan is rejected.

The application is disposed of accordingly.

JUDGE

Comparing Assistant