

GAHC010078492025



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

Case No. : AB/869/2025

PURABI PATHAK
W/O-JALANDER SAHANI, R/O-HOUSE NO-8,PATHAR QUARRY,OLD POST
OFFICE LANE,P.O-UDHYAN VIHAR,P.S NOONMATI, 781171

VERSUS

THE STATE OF ASSAM
REP. BY THE PP,ASSAM

Advocate for the Petitioner : MR. R DE, MS. D PATHAK

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 11.04.2025

Heard Ms. D. Pathak, learned counsel for the petitioner. Also heard Mr. B. Sharma, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 482 of BNSS, 2023, praying for grant of pre-arrest bail to the accused/petitioner, who is apprehending arrest in connection with Dispur P.S. Case No. 189/2025, under Sections 318(4)/316(2)/316(4) of BNS, 2023.

It is submitted by Ms. Pathak, learned counsel for the petitioner, that the present accused/petitioner is innocent and she is no way connected in the alleged offence. She is simply working as Safai Karmachari in the Central Bank, Borbari Branch and has not committed any offence as alleged in the F.I.R. She further submitted that 2 (two) co-accused persons have already been granted the privilege of interim pre-arrest bail by this Court and considering the case of the petitioner on the same footing, she may also be granted with the privilege of interim pre-arrest bail on the ground of parity.

In this context, Mr. Sharma, learned Additional Public Prosecutor, has submitted that the Case Diary will reveal the actual fact of the case and accordingly insisted on calling for the Case Diary before passing any order for

pre-arrest bail.

After hearing the submissions of learned counsels of both sides, it is provided that the Case Diary be called for fixing 25.04.2025.

Further, considering the submissions of learned counsels for both sides and also considering the statement made in the F.I.R., I find it a fit case to extend the privilege of interim pre-arrest bail to the accused/petitioners till receipt of the Case Diary.

Accordingly, it is provided that in the event of arrest of the accused/petitioner, namely, Purabi Pathak, in connection with Dispur P.S. Case No. 189/2025, under Sections 318(4)/316(2)/ 316(4) of BNS, 2023, she shall be enlarged on interim pre-arrest bail on her executing a bond of Rs. 20,000/- (Rupees twenty thousand) only with one surety of like amount to the satisfaction of the arresting authority, subject to the following conditions:

- (i) that the petitioner shall appear before the Investigating Officer of the case within a period of 1 (one) week from today;
- (ii) that the petitioner shall fully co-operate with the investigation of the case and shall appear before the Investigating Officer as and when required in connection with the investigation of the aforesaid P.S. Case; and

- (iii) 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.

List the matter on 25.04.2025 for production of the Case Diary.

JUDGE

Comparing Assistant