

MC 3514/2009

BEFORE

HON'BLE MR JUSTICE HN SARMA

Heard Mr. J. Abedin, learned counsel for the petitioner.

The petitioner was taken into custody on 28.10.09 for execution of the FT Case No. FT/H/46/2006 which is the subject matter of challenge in WP (C) No. 5621/09 . It is stated that since then the petitioner is in custody.

Upon hearing the learned counsel for the parties, it is ordered that if the petitioner, Md. Rajab Ali, furnishes the adequate security to the satisfaction of the Superintendent of Police, Nagaon, he shall be released. However, such surety and/or security must be of such nature that in the event of dismissing the writ petition upholding the order of the Tribunal, no excuse will be entertained that the whereabouts of the petitioner is not known and /or he is not traceable. In other words, in the event of enlarging the petitioner on bail, the Superintendent of Police will ensure his presence within the local limits of the jurisdictional police Station till further order from this court. Further, the S.P., Nagaon shall also obtain the photographs, fingerprints and other physical identification of the petitioner as a necessary precaution.

With the above order, this Misc. Case stands disposed of.