

BEFORE

HON'BLE MR. JUSTICE A. C. UPADHYAY

This is an application under Section 438 CrPC seeing pre-arrest bail on behalf of the petitioners, namely Abdul Khalek, Md Shahidul Islam, Aminul Haque, Md Kalim Uddin, Md Insan Ali and Noushad Ali in connection with Routa PS Case No.276/2011 (under Sections 147, 148, 341, 342, 323, 325 & 379 IPC).

I have heard Mr MH Choudhury, learned counsel for the petitioners as also Mr BB Gogoi, learned Addl.PP, Assam.

The FIR discloses that the son of the first-informant i.e. Hannan Ali was forcibly taken away by the accused-petitioners and confined to their house. His bicycle, mobile phone and a cash of Rs.20,700/- were also allegedly snatched away after beating him by lathi and dagger. Learned counsel for the petitioners, referring to the FIR filed by the petitioners, submitted that the said Hannan Ali was caught red-handed by the villagers while committing the theft of cattle from the village, and accordingly he was handed over to the police.

Learned Addl.PP, referring to the medical report, submitted that there is no serious injury on the person of the victim.

Considering the matter in its entirety and the nature and gravity of the offence, the interim bail granted by this Court on 15.2.2012 is hereby made absolute, however on condition that they shall appear before the investigating officer, when required and cooperate with the investigation of the case.

The bail application stands disposed of.