

AB 1613/2014

BEFORE

HON'BLE MR. JUSTICE N.CHAUDHURY

Heard Mr. N. Uddin, learned counsel for the petitioner and Mr. B. S. Sinha, learned Addl. Public Prosecutor, Assam.

By this application under Section 438 CrPC petitioners, namely, (1) Javed Ali, (2) Karim Ali @ Abdul Karim, (3) Badsha Miya @ Rohim Badsha, (4) Akbar Ali, (5) Jomir Ali, (6) Rezzak Ali @ Abdul Rezzak, (7) Mrs. Rukia Begum and (8) Taher Ali have prayed for pre-arrest bail in connection with Baghbar PS Case No. 77/2014 u/s 447/323/379/34 IPC.

The learned P.P. has produced the case diary. Upon perusal of the case diary at least some materials in regard to trespass by the present petitioners into the land of the informant can be seen.

Be that as it may, observations made in the case diary show that investigation might have been almost over by now. Under such circumstances, I feel that custodial interrogation of the petitioners may not be necessary in this case. Accordingly the present application is allowed.

In the event of arrest of the petitioners, (1) Javed Ali, (2) Karim Ali @ Abdul Karim, (3) Badsha Miya @ Rohim Badsha, (4) Akbar Ali, (5) Jomir Ali, (6) Rezzak Ali @ Abdul Rezzak, (7) Mrs. Rukia Begum and (8) Taher Ali in connection with the aforesaid case, they shall be released on bail on furnishing bond of Rs .10,000/- each with one local surety of like amount each to the satisfaction of the arresting authority.