AB 1922/2015
BEFORE
THE HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA

Heard Mr. PA Ahmed, learned counsel for the petitioners. Also heard Mr. BB Gogoi, learned Additional Public Prosecutor, Assam.

The petitioners, namely, 1. Azahar Uddin, 2. Sultana Rejia Parvin and 3. Shahnaj Yasmin, have filed this application under Section 438 Cr.PC, seeking pre-arrest bail in connection with Gauripur P.S. Case No. 197/2015 under Sections 147/149/307/325/354(B)/384 IPC.

Mr. PA Ahmed, learned counsel for the petitioners submits that the contents of the FIR are false and in fact, it was the informant and her party who had beaten up the petitioners. He also submits that the informant is the 1st wife of Dr. Osman Goni and the petitioner No. 2 is the 2nd wife of Dr. Osman Goni.

He further submits that the matter has been compromised between the parties and the informant has made an affidavit dated 25.03.2015 in which the informant has stated that Dr. Osman Goni had approached the informant for a compromise and he had sought apology.

The informant has also stated in the affidavit that the dispute between the informant and her husband has been compromised and she does not want to proceed any further with this case.

Mr. BB Gogoi, learned Additional Public Prosecutor, Assam submits that the present matter relates to a family dispute between the 1st and the 2nd wives and in view of the affidavit submitted by the informant, the prayer of the petitioners can be considered.

After hearing the learned counsels for the parties and on perusal of the materials available on record, I am of the opinion that the petitioners may be allowed to go on anticipatory bail.

Accordingly, in the event of arrest of the petitioners, namely, 1. Azahar Uddin, 2. Sultana Rejia Parvin and 3. Shahnaj Yasmin, shall be released on bail on furnishing a bail bond of Rs. 20.000/- each with one local surety each of the like amount to the satisfaction of the arresting authority.

The petitioners shall appear before the concerned I.O. within a period of 10 days from today and also cooperate with the investigation.

Anticipatory bail application stands disposed off.