GAHC010045632018

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

Case No. : AB 666/2018

1:NUR ISLAM AND ANR.
S/OLT. BAHAJ UDDIN AHMED
VILL- SONAPUR, BALIGATE
P.O.AND P.S. SONAPUR
DIST. KAMRUP (M), ASSAM

2: MIRIJAN BEGUM
 W/O BAHAJ UDDIN AHMED
VILL- SONAPUR
 BALIGATE
P.O. AND P.S. SONAPUR
DIST.KAMRUP (M)
 ASSA

VERSUS

1:THE STATE OF ASSAM
REP. BY P.P. ASSAM, GUWAHATI

Advocate for the Petitioner   : MR. R ALI
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA
ORDER

Date : 27-04-2018

This is an application, filed under Section 438 Cr.PC, praying for pre-arrest bail of the petitioners, namely, 1) Nur Islam, and 2) Mirjan Begum, in connection with Sonapur PS Case No. 361/2017 (corresponding to GR Case No. 6436/2017) under Sections 498(A)/325/34 IPC.

Heard Mr. R. Ali, learned counsel for the petitioners as well as Mr. N.J. Dutta, learned Additional Public Prosecutor for the state respondent.

Case diary produced has been perused.

There is no such incriminating materials in the case diary against the present petitioners justifying their custodial interrogation.

That being so, in the considered view of this court, this is a fit case for grant of pre-arrest bail to the petitioner, and accordingly, prayer is allowed.

The interim pre-arrest bail granted to the petitioners, vide order dated 12.3.2018, is made absolute by this order on the following conditions :

(1)   The petitioners shall not leave the territorial jurisdiction of the aforesaid police station, without prior written permission from its officer-in-charge,

(2)   The petitioners shall not hamper with the investigation, or tamper with the evidence of the case, and

(3)   The petitioners 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.

The petition stands disposed of accordingly.

Return the case diary.

JUDGE

Comparing Assistant