

GAHC010154022018



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

Case No. : AB 2172/2018

1:MASHUK AHMED
S/O LATE AKADDAS ALI, VILLAGE NEAR BORO HAFLONG, PO AND PS
HAFLONG, PIN-788819, DIST. DIMA HASAO, ASSAM

VERSUS

1:UNION OF INDIA
REPRESENTED BY SC, N.F. RAILWAY

Advocate for the Petitioner : MS. S KHANIKAR

Advocate for the Respondent : SC, NF RLY

BEFORE
HON'BLE THE CHIEF JUSTICE MR. AJIT SINGH

31.07.2018

Ms. S Khanikar and Mr. P Choudhurry, learned counsel for the applicant.

Mr. B Sharma, learned Standing Counsel, North East Frontier Railway for the respondent.

This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail on behalf of applicant – Md. Mashuk Ahmed.

The applicant is apprehending his arrest for offences under Sections 3(a) RP(UP) Act registered as RPF/POST/NHLG Case No. 1(4)18.

According to the prosecution case, some stolen railway materials were seized from the applicant's scrap shop.

It is argued on behalf of the applicant that he is innocent and has been falsely implicated. It has also been argued that in another case, applicant was arrested and, thereafter, released on bail.

On due consideration of the facts and circumstances of the case, I deem it proper to grant anticipatory bail to the applicant. It is accordingly directed that in the event of his arrest in connection with the aforesaid case, he be released on anticipatory bail on his furnishing bail bond of Rs. 20,000/- with one surety of the like amount to the satisfaction of the arresting authority.

The application is allowed.

**Sd/-
CHIEF JUSTICE**

Comparing Assistant