

GAHC010060332019



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

Case No. : AB 829/2019

1: SARIFUL AMIN AND ANR.
S/O ABDUL MATIN, VILL- SINGUAFULTOLI, P.O.-BRAJENDRAPUR, P.S.-
RAMKRISHNA NAGAR, DIST-HAILAKANDI, ASSAM, PIN-788156

2: RUFTAR HUSSAIN
S/O ABDUL MATIN
VILL-SINGUAFULTOLI
P.O.-BRAJENDRAPUR
P.S.-RAMKRISHNA NAGAR
DIST-HAILAKANDI
ASSAM
PIN-78815

VERSUS

1: THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR H I CHOUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

Date : 30-04-2019

Heard Mr. HI Choudhury, learned counsel for the petitioners and Mr. NK Kalita, learned Additional Public Prosecutor for the State of Assam.

By this petition under Section 438 Cr.P.C., the petitioners, namely, **Sariful Amin** and

Ruftar Hussain have prayed for granting them pre-arrest bail, apprehending arrest in connection with **Ramkrishna Nagar PS Case No. 117 of 2018** under Sections 420/409/406/506/34 of the IPC.

Case diary, as called for, is placed before the Court.

Mr. HI Choudhury, learned counsel for the petitioners submits that the petitioners are on interim pre-arrest bail granted vide order, dated 19.03.2019, and that the petitioners appeared before the I.O. and their statement under Section 161 of the Cr.P.C. got recorded.

On perusal of the case diary, it is noticed that in terms of the conditions of the interim pre-arrest bail granted vide order, dated 19.03.2019, the petitioners appeared before the I.O. and got their statement recorded under section 161 Cr.P.C.. The petitioners are co-operating in the investigation and there is no adverse report against the petitioners from the I.O. The case diary reveals no justifiable reason for custodial interrogation of the petitioners in the interest of further investigation of the case.

Therefore, the interim anticipatory bail granted in favour of the petitioners, vide order, dated 19.03.2019, is hereby made absolute, subject to the conditions (i) that the petitioners shall appear before the I.O. of the case as and when required for the purpose of investigation; (ii) that the petitioners shall not hamper or tamper with the investigation in any manner; (iii) that 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 them from disclosing such facts to the Court or to any police officer.

Return the case diary.

With the above directions, the anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant