

GAHC010239782019



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

Case No. : AB 3373/2019

1: SOLEMAN ALI @ SOLEMAN SHEIKH AND 3 ORS.
S/O PARBAT ALI, R/O VILL. NAYER ALGA PART III, P.O. NAYER ALGA, P.S.
BILASIPARA, DIST. DHUBRI, ASSAM

2: ROHIMA KHATUN @ AHIMA BIBI
W/O SOLEMAN ALI @ SOLEMAN SHEIKH
R/O VILL. NAYER ALGA PART III
P.O. NAYER ALGA
P.S. BILASIPARA
DIST. DHUBRI
ASSAM

3: OMED ALI
S/O LT. AFRAJ UDDIN
R/O VILL. NAYER ALGA PART III
P.O. NAYER ALGA
P.S. BILASIPARA
DIST. DHUBRI
ASSAM

4: SAMSHER ALI
S/O ASHRAF ALI
VILL. KAZAIKATA PART-V
P.O. KAZAIKATA
P.S. BILASIPARA
DIST. DHUBRI (ASSAM)

VERSUS

1:THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MD. B ISLAM

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

Date : 31-10-2019

Heard Md. B Islam, learned counsel for the accused-petitioner. Also heard Mr. B Sarma, learned Additional Public Prosecutor, appearing for the State of Assam.

This is an application, filed under Section 438 of the Cr.PC. seeking pre-arrest bail of the accused-petitioners, namely, **1. Soleman Ali @ Solemon Sheikh, 2. Rohima Khatun @ Ahima Bibi, 3. Omed Ali** and **4. Samsher Ali**, in connection with **Bilasipara P.S. Case No. 862/2019** registered under Sections 384/506/34 of the IPC.

Perused the case diary produced before this court.

On perusal of the materials in the case diary, it does not appear to this court that there is any such material requiring custodial interrogation of the accused-petitioners.

The petitioners are already on interim pre-arrest bail granted vide order, dated 30.09.2019. There is no instance to indicate that during this period, the petitioners have misused the liberty granted to them while availing interim pre-arrest bail. In the meantime, the petitioners have appeared before the Investigating Police Officer and got their statements recorded.

In view of the above facts, this court is inclined to grant the privilege of pre-arrest bail to the petitioners and accordingly, the interim pre-arrest bail granted to the accused-petitioners, on 30.09.2019, is made absolute on the same terms and conditions.

This petition stands disposed of accordingly.

Return the case diary.

JUDGE

Comparing Assistant