

GAHC010057842021



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

Case No. : AB/929/2021

IMTIAZ ALAM
S/O MOHAMMAD ALI, P/R/O SUNDARBORI NEAR MASZID, HOUSE NO. 22,
WARD NO. 2, ASSAM SISHU KALYAN ROAD, JALUKBARI, GUWAHATI,
ASSAM-781014, P/R/A HOUSE NO. 08, SWAGATAM PATH, NEAR MALOWALI
TINIALI, JORHAT-785001, DIST-JORHAT, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. R PHUKAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 30-04-2021

Heard Mr. P. Talukdar, learned counsel for the petitioner. Also heard Mr. B. Sharma learned Additional Public Prosecutor for the State of Assam.

The petitioner namely, Imtiaz Alam have filed this application u/s 438 of the Cr.P.C. praying for pre-arrest bail in connection with Teok P.S. Case No. 96/2021, u/s 380 of IPC.

The occurrence took place in Jorhat Institute of Science and Technology. One employee

named Suchiborta Bordoloi has lodged the FIR alleging that on 10.02.2021, while he had gone to Mechanical Laboratory for taking class of Engineering Mechanics two computer along with UPS, Key boards etc. were found missing. The petitioner is an Assistant Professor of that Educational Institute. The present petitioner has informed the principal of the Institute about the theft. He was asked to lodge FIR. Since the petitioner did not lodge the FIR as instructed to him by the Principal of the Institute, he now apprehends that he might be arrested in this case.

Case dairy reveals that the stolen properties have not been recovered. The case diary also reveals that the statement of the present petitioner has been recorded by police.

Therefore, this Court finds that the petitioner does not deserves to be detain in custody in this case. The pre-arrest bail application of the petitioner namely Imtiaz Alam is allowed.

Accordingly, the interim bail granted on 23.03.2021 to the petitioner is hereby made absolute

The pre-arrest bail application stands disposed of.

JUDGE

Comparing Assistant