

GAHC010096982021



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

**Case No. : Bail Appln./1375/2021**

MATIN UDDIN MAZUMDER @ MOTIN MAZUMDER AND ANR.  
S/O LT. HABIBUR RAHMAN MAZUMDER, R/O VILLAGE SONABARIGHAT  
PART 11, PO SONABARIGHAT, PS SILCHAR, DIST. CACHAR, ASSAM, PIN-  
788013

2: ATABUR RAHMAN MAZUMDER  
S/O LT. HABIBUR RAHMAN MAZUMDER  
R/O VILLAGE SONABARIGHAT PART 11  
PO SONABARIGHAT  
PS SILCHAR, DIST. CACHAR  
ASSAM, PIN-78801

VERSUS

THE STATE OF ASSAM  
REP. BY PP, ASSAM

**Advocate for the Petitioner : DR. B AHMED**

**Advocate for the Respondent : PP, ASSAM**

**B E F O R E**  
**HON'BLE MR. JUSTICE HITESH KUMAR SARMA**

29-06-2021

The Court proceedings have been conducted through Video-  
Conference due to COVID-19 pandemic.

This is an application made under Section 439 Cr.P.C., seeking bail by the accused-petitioners, namely, **1) *Matin Uddin Mazumder @ Motin Mazumder*, and 2) *Atabur Rahman Mazumder***, in connection with ***Silchar Police Station Case No.1940/2021*** registered under ***Sections 120(B)/363/342/ 326/307/506 of the Indian Penal Code, read with Section 14 of the Child Labour (Prohibition & Regulation) Act.***

Heard Mr. A.M. Borah, learned senior counsel assisted by Mr. H.I. Choudhury, for the petitioners. Also heard Ms. S.H. Borah, learned Additional Public Prosecutor, Assam for the State Respondent.

In accordance with the order dated 25.06.2021, Ms. Borah, learned Additional Public Prosecutor has collected the medical report of injured and the contents thereof have been read over since the matter has been taken up though video conference.

The contents of the medical report of injuries shows that there is no external injury sustained by the alleged injured and such fact, prima facie, does not support the allegation of assault/inflicting injuries upon the injured by the petitioners. However, this view is tentative and limited for the purpose of this bail application only and shall not impact in the trial of the case in any manner.

In view of the medical report, referred to above, the prayer for bail is allowed.

Accordingly, the accused-petitioners, named above, shall be released on bail in connection with the case aforementioned on their furnishing bail bond of Rs. **10,000/-** each with a suitable surety each of the like amount,

to the satisfaction of learned ***Chief Judicial Magistrate, Cachar, Silchar.***

The direction for bail is further subject to the conditions that the accused-petitioners:

(a) shall not leave the territorial jurisdiction of learned ***Chief Judicial Magistrate, Cachar, Silchar,*** without prior written permission from him;

(b) shall not hamper with the investigation, or tamper with the evidence of the case;

(c) 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.

In terms of the above, this bail application stands disposed of.

JUDGE

**Comparing Assistant**