

GAHC010157102020



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

**Case No. : AB/3150/2020**

SHAHIDUL AHMED AND 3 ORS.  
S/O- NIYAMAT ALI, R/O- VILL- BHANGNAMARI, P.O. AND P.S.  
BHANGNAMARI, DIST.- NALBARI, ASSAM

2: IDRISH ALI  
S/O- LT. RAHIM ALI  
R/O- VILL- BHANGNAMARI  
P.O. AND P.S. BHANGNAMARI  
DIST.- NALBARI  
ASSAM

3: SHORIFUL ISLAM  
S/O- KUDDUSH ALI  
R/O- VILL- BANPURA  
P.S. MUKALMUA  
DIST.- NALBARI  
ASSAM

4: ANSHER ALI  
S/O- MAFATJUL ALI  
R/O- VILL- KANDHBARI  
P.S. MUKALMUA  
DIST.- NALBARI  
ASSA

VERSUS

THE STATE OF ASSAM  
REP. BY THE P.P., ASSAM

**Advocate for the Petitioner : MR. B CHOWDHURY**

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

**BEFORE  
HONOURABLE MR. JUSTICE AJIT BORTHAKUR**

**ORDER**

**Date : 26-02-2021**

Heard Mr. B. Chowdhury, learned counsel for the petitioners. Also heard Mr. N.J. Dutta, learned Addl. Public Prosecutor, Assam appearing for the State respondent.

This petition under Section 438 Cr.P.C., is filed for granting the privilege of pre-arrest bail to the petitioners, namely **i) Shahidul Ahmed ii) Idrish Ali iii) Shofirul Islam and iv) Ansher Ali**, apprehending arrest in connection with **Baghbar P.S. Case No. 347/2020** u/s **406/420/409** of the IPC.

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

It may be mentioned that by order, dated 10.11.2020, this Court granted the privilege of interim pre-arrest bail to the petitioners subject to conditions.

Perusal of the case diary shows that the petitioners appeared before the investigating officer and got their statements recorded under Section 161 Cr.P.C. in terms of the interim pre-arrest bail granted earlier. There is no adverse report against the petitioners from the I.O. This Court finds that custodial interrogation of the petitioners may not be required in the interest of ongoing investigation into the case.

Therefore, the interim pre-arrest bail granted vide order, dated 10.11.2020 is hereby made absolute, subject to the following conditions-

- (i) That the petitioners shall co-operate in investigation as and when required;  
and
- (ii) 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 him from disclosing such facts to the Court or to any police officer.

Return the case diary.

This disposes off the anticipatory bail application.

**JUDGE**

**Comparing Assistant**