

GAHC010118362024



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

Case No. : AB/1535/2024

BABUL HUSSAIN
S/O MD. RAMJAN ALI
R/O RAKHYASHINI PART-I, P.S. MORNOI
DIST. GOALPARA, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR.
REP BY THE PP, ASSAM

2:THE OFFICER-IN-CHARGE

MORNOI POLICE STATION

DIST. GOALPARA
ASSA

Advocate for the Petitioner : MR S H SIKDAR

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 28.06.2024

1. Heard Mr. S. H. Sikdar, learned counsel for the petitioner. Also heard Mr. B. B.

Gogoi, learned Additional Public Prosecutor for the State respondent.

2. By order dated 26.06.2024, learned Additional Public Prosecutor was requested to procure a report from the Officer-in-Charge of Mornoi Police Station to let this Court know as to whether any case is pending against the present petitioner, namely, Babul Hussainand in pursuant to said direction learned Additional Public Prosecutor has placed the report received from police of. Dubapara Petrol Post dated 18.06.2024, wherein it is stated that no case has been registered against the present petitioner.

3. However, it is also stated that the wife of the present petitioner had lodged a complaint before the police, and on the basis of which a GD entry was made and an inquiry was initiated.

4. However, the petitioner was not found in his residence and he could not be contacted and therefore, for the purpose of inquiry, the petitioner was called for by the police of Dubapara Petrol Post.

5. In view of the report, placed by the learned Additional Public Prosecutor, this anticipatory bail application is disposed of with a direction to the petitioner to appear before the In-Charge of the Dubapara Petrol Post under Mornoi Police Station and co-operate in the inquiry regarding the complaint filed by his wife against him within 10 days from the date of this order and cooperate in the order. If he does so within the said period, in the event of his arrest in connection with any case, which is subsequently registered on the basis of the enquiry or during the course of inquiry, the above named petitioner shall be allowed to go on bail of Rs. 30,000/- (Rupees Thirty Thousand only), with one surety of like amount to the satisfaction of the arresting authority.

6. With the above observation, this anticipatory bail application is disposed of.

JUDGE

Comparing Assistant