

GAHC010208782024



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

Case No. : Bail Appln./3049/2024

NURUL HOQUE LASKAR
S/O LATE SURMAN ALI LASKAR, R/O BASBARI PART-I, P.O. BASBARI, P.S.
ALGAPUR, DIST HAILAKANDI, ASSAM, PIN 788152

VERSUS

THE STATE OF ASSAM
TO BE REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M H RAJBARBHUIYAN, MRS R CHETRI

Advocate for the Respondent : PP, ASSAM,

Linked Case : Bail Appln./3190/2024

KABIR HUSSAIN BARBHUIYA
S/O NOOR AHMED BARBHUIYA
VILL- UJANKUPA PART-I

P.S. AND DIST. HAILAKANDI
ASSAM

VERSUS

THE STATE OF ASSAM

TO BE REP. BY THE PP
ASSAM

Advocate for : MR. A M BARBHUIYA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

Linked Case : Bail Appln./3331/2024

SARIMUL HAQUE LASKAR
S/O FAKAR UDDIN LASKAR @ FARUK UDDIN LASKAR
VILL- SIBUTTAR
P.S. AND DIST- HAILAKANDI
ASSAM
P.O.-UJANKUPA
PIN-788152

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

Advocate for : MR. R A CHOUDHURY
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

Linked Case : Bail Appln./3112/2024

KABIR AHMED LASKAR
S/O LATE RASHID ALI LASKAR
R/O VILL- BALIKANDI PART-I
P.O. BASHBARI
DIST. HAILAKANDI
ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP
ASSAM

Advocate for : MR. J LASKAR
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

Linked Case : Bail Appln./3151/2024

ALTAF HUSSAIN LASKAR @ ALTA HUSSAIN LASKAR AND 2 ORS.
S/O LT. SUKKUR ALI LASKAR
VILL- SIBUTTAR
P.S. AND DIST- HAILAKANDI
ASSAM

2: ALHAJ HUSSAIN LASKAR
S/O LT. ABDUL LATIF LASKAR
VILL- SIBUTTAR
P.S. AND DIST- HAILAKANDI
ASSAM

3: DALIM UDDIN LASKAR
S/O LT. MOINUL HAQUE LASKAR
VILL- SIBUTTAR
P.S. AND DIST- HAILAKANDI
ASSAM
VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

Advocate for : MR. A M BARBHUIYA
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

30.10.2024

Heard Mr. M H Rajbarbhuiyan; Mr. J. Laskar; Mr. A M Barghuiyan and Mr. R A Choudhury, learned counsels for the petitioners as well as Mr. R J Baruah, learned Additional Public Prosecutor, Assam.

All these bail applications filed under Section 483 of the BNSS,2023 by the petitioners, who were arrested in connection with Hailakandi P.S. Case No. 190/2024.

On 19.08.2024, a mob of 400/500 people attacked the house of the informant. They burnt the house by pouring kerosene oil. During that incident, the house and the car of the informant bearing registration No. AS-11K-3479 were destroyed.

The informant has named 15 [fifteen] persons as the perpetrator of the said offence. Some of the present petitioners are named in the said FIR.

Mr. Rajbarbhuiyan has submitted that Saikul Uddin Laskar, the husband of the informant is a murderer, who committed murder in the village and he is in police custody. According to Mr. Rajbarbhuiyan, the villagers were angry with him and therefore, they had attacked his house.

In the Case Diary, it reveals that although some of the witnesses have implicated the present petitioners but none of them could state the roles taken by the them in the said offence. Mr. Rajbarbhuiyan has pointed out that the petitioners Nurul Hoque Laskar is a 60 [sixty] years old person and he is the elected President of a Gaon Panchayat. He had gone to the place of occurrence just to see what was happening and also he went to the Police Station to that effect.

I have considered the submissions made by the learned counsel of both sides.

This court is of the opinion that, at this stage, the petitioners do not deserve to be detained in custody for further period of time. Therefore, the bail application is allowed.

Accordingly, it is directed that the petitioners, namely, (1) Nurul Hoque Laskar; (2) Kabir Ahmed Laskar; (3) Altaf Hussain Laskar @ Alta Hussain Laskar; (4) Alhaj Hussain Laskar; (5) Dalim Uddin Laskar; (6) Kabir Hussain Barbhuiya; and (7) Sarimul Haque Laskar, who were arrested in connection with Hailakandi P.S. Case No. 190/2024, shall be released on bail of Rs.20,000/- each with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Hailakandi.

The bail application is disposed of.

Case Diary shall be returned.

JUDGE

Comparing Assistant