

GAHC010060182025



2025:GAU-AS:5282

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

Case No. : AB/681/2025

TAJUDDIN
S/O JONAB ALI,
RESIDENT OF VILLAGE PURBA KAMALA TILA, PS PATHARKANDI, PO
ERAELIGUL, DIST KARIMGANJ ASSAM 788710

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A K DAS, MS. K L R YANTHAN, MR. S C BISWAS, MS A BORAH, MS. U NANDA, MS. S. CHANDA, MS. J GHOSH

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA
ORDER

30.04.2025

Heard Ms. J. Ghosh, learned counsel for the petitioner. Also heard Mr. D. P. Goswami, learned Additional Public Prosecutor for the State respondent.

This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying for granting pre-arrest bail to the petitioner in connection with Dhekiajuli P. S. Case No. 45/2025, corresponding to G. R. Case No. 257/25, under Section 303 (2)/3(5) of BNS.

The Case Diary has been received and I have perused the same.

It is submitted by Ms. Ghosh, learned counsel for the petitioner, that the petitioner is innocent and he is no way connected to the alleged offence. The petitioner was merely a driver, and on the date of the incident, although he was present in the vehicle, he could not appear before the police out of fear, as his two passengers were arrested by the police. However, after obtaining interim pre-arrest bail, he appeared before the I.O. and cooperated in the investigation. He was also granted *zimma* of his vehicle. The petitioner is ready and willing to cooperate with the I.O. in the further investigation of the case, if his interim pre-arrest bail be made absolute.

On the other hand, Mr. Goswami, learned Additional Public Prosecutor, submitted that the accused/petitioner appeared before the IO after obtaining interim pre-arrest bail and cooperated in the investigation. However, as per the

materials available in the case diary, it appears that the accused/petitioner was involved in the alleged theft, though the mobile handsets were recovered by the police during the investigation.

After hearing the submissions of the learned counsels for both sides and upon consideration of the materials available in the case diary, I find it appropriate to allow the prayer made by the petitioner/accused. Accordingly, the interim pre-arrest bail granted to the petitioner/accused vide order dated 25.03.2025 is hereby made absolute, on the same terms and conditions

In light of the above, this anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant