

GAHC010021042023



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

Case No. : AB/327/2023

RAJIBUL HOQUE AND 22 ORS.
S/O- ABDUL HYE, VILL.- JARAMARI BALISATRA, P.S. DHING, DIST.
NAGAON, ASSAM

2: JAHIRUL ISLAM
S/O- ABDUL KALAM
VILL.- KATAHGURI TUKTUKI
P.S. DHING/NAGAON
DIST. NAGAON. ASSAM

3: RABBUL ISLAM
S/O- EDRIS ALI
VILL.- KATAHGURI TUKTUKI
P.S. DHING/NAGAON
DIST. NAGAON. ASSAM

4: BAHARUL ISLAM
S/O- ABDUL HASEN
VILL.- PUB KAWAIMRI
JUMURMUR
P.S. KAMPUR
DIST. NAGAON
ASSAM

5: SEKH HASINA
D/O- ABDUL SEKH
VILL.- LALIPATHAR
BECHAMARI
P.S. DHING
DIST. NAGAON
ASSAM

6: SHAHNAZ AKTAR
D/O- AHMED ALI

VILL.- JARAMARI
BALISATRA
P.S. DHING
DIST. NAGAON
ASSAM

7: AZAHARUL HOQUE CHOUDHURY
S/O- AZIZUL HOQUE CHOUDHURY
VILL.- RAJABARI GRANT SOLOGURI
P.S. BATADRABA
DIST. NAGAON
ASSAM

8: HUMAYUN KABIR
S/O- ABDUL MUTALIB
VILL.- PATIA PATHAR
P.S. DHING
DIST. NAGAON
ASSAM

9: AFJAL ISLAM
S/O- MD. JAMA UDDIN
VILL.- CHALA PATHAR
P.S. BATADRABA
DIST. NAGAON
ASSAM

10: SADDAM HUSSAIN
S/O- MD. ABDUL KHALEQUE
VILL.- SAHARIGAON
MOIRABARI
P.S. MOIRABARI
DIST. MORIGAON
ASSAM

11: SHAHBAZ HUSSAIN
S/O- ISMAIL HUSSAIN
VILL.- BECHAMARI
P.S. DHING
DIST. NAGAON
ASSAM

12: MUKLES UDDIN
S/O- ABDUR RAZZAK
VILL.- TUKTUKI
P.S. DHING
DIST. NAGAON
ASSAM

13: MUZAMMIL KHAN
S/O- IDRISH ALI
VILL.- MELEKADHING
BALIKATIA
P.S. JURIA
DIST. NAGAON
ASSAM

14: SABBIR AHMED
S/O- ABDUL KASHEM
VILL.- PATIA CHAPORI
P.S. DHING
DIST. NAGAON
ASSAM

15: FARUK AHMED
S/O- REAZ UDDIN AHMED
VILL.- JARAMARI
BALISATRA
P.S. DHING
DIST. NAGAON
ASSAM

16: ZAHIRUL ISLAM
S/O- ABDUR RAHMAN
VILL.- UTTAR KHATUWAL
P.S. RUPAHIHAT
DIST. NAGAON
ASSAM

17: RANJINA KHATUN
D/O- ABDUL RAZZAK @ ABDUR RAZZAK
VILL.- PUB KAWAIMARI
JUMURMUR

P.S. KAMPUR
DIST. NAGAON
ASSAM

18: TOSHLIMA KHATUN
D/O- FAZLUL HOQUE CHOUDHURY
VILL.- JARAMARI
BALISATRA
P.S. DHING
DIST. NAGAON
ASSAM

19: MUKSIDUR RAHMAN
S/O- ABDUR RAZZAK
VILL.- TUKTUKI
P.S. DHING
DIST. NAGAON ASSAM

20: SADDAM HUSSAIN
S/O- RUHUL AMIN
VILL.- CHALA PATHAR
P.S. BATADRABA
DIST. NAGAON
ASSAM

21: AZAHAR UDDIN
S/O- ABDUL MOHIT
VILL.- KACHARIGAON
KALIDINGA
P.S. AND DIST. NAGAON
ASSAM

22: RUNA LAILA
D/O- RUSTAM ALI
VILL.- FAKULIL PATHAR
P.S. JURIA
DIST. NAGAON
ASSAM

23: MUKSIDA BEGUM
D/O- ABDUL KHALEK
VILL.- JARAMARI
BALISATRA
P.S. DHING
DIST. NAGAON
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A M KHAN

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

Date : 09-05-2023

1. Heard Mr. A.M. Khan, learned counsel for the petitioner. Also heard Mr. K.K. Das, learned Additional Public Prosecutor for the State of Assam.
2. Apprehending arrest under section 438 Cr.P.C., the petitioners namely, 1.Rajibul Hoque, 2.Jahirul Islam, 3.Rabbul Islam, 4.Baharul Islam, 5.Sekh Hasina 6.Sahnaz Aktar, 7.Azaharul Hoque Choudhury, 8.Humayun Kabir, 9.Afjal Islam 10.Saddam Hussain, 11.Shahbaz Hussain, 12.Mukles Uddin, 13.Muzammil Khan, 14.Sabbir Ahmed, 15.Faruk Ahmed, 16.Zahirul Islam, 17.Ranjina Khatun, 18.Toshlima Khatun, 19.Muksidur Rahman, 20.Saddam Hussain, 21.Azahar Uddin, 22.Runa Laila, 23.Muksida Begum, are seeking pre-arrest bail in connection with Nagaon P.S. Case No.786/2022, under sections 120(B)/420/468 of IPC.
3. Case diary received perused the same.
4. It is submitted at the bar that in response to the letter of the superintendent of Post Office, Nagaon division, Assam, the Secretary Madhyamik Siksha Parishad, UP Allahabad submitted a letter dated 02.03.2023 stating that on verification of the documents and mark sheet etc amounting to 23 numbers, the documents were found to be genuine.
5. The allegation against the petitioners is that they are the candidates in the recruitment process of the GDS examination and

when they appeared before the informant for verification of their documents, the informant found their documents to be fake.

6. In pursuance to the order dated 24.03.2023 passed by this Court it was approved that one investigating officer will be deputed to proceed to Meerut, Uttar Pradesh and an Investigating Officer was deputed vide order dated 10.04.2023 through the Office of the Superintendent of Police.

7. I have considered the submissions at the bar that these documents are indeed not fake. It is, however, submitted that no college in the name of 'Dr. B.R. Ambedkar college', Tejgarhi Meerut exists in Uttar Pradesh. However, it is submitted on behalf of the petitioners that there is a minor difference in the name mentioned in the FIR as no college was found because the college is by the name of 'Dr. Ambedkar College'.

8. I have considered the submissions at the bar that the petitioners have appeared before the IO and they have cooperated with the investigation. The petitioners have not violated bail conditions. The petitioners are the local residents and they are not at flight risks.

9. In view of my foregoing discussions, the interim order dated 24.03.2023 is hereby made absolute.

10. Send back the case diary.

JUDGE

Comparing Assistant