

GAHC010103562023



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

Case No. : I.A.(CrI.)/389/2023

TAMEZ UDDIN AND 3 ORS
S/O- TAIBAR TALUKDAR, R/O- VILL- MERAMAR GAON,, P.S.
GOBARDHANA, DIST.- BAKSA, ASSAM

2: MAZIM UDDIN @ NAZIM UDDIN
S/O- NURUL HOQUE
R/O- VILL- MERAMAR GAON

P.S. GOBARDHANA
DIST.- BAKSA
ASSAM

3: SAHIDUL ISLAM
S/O- SUKUAR MAHMUD
R/O- VILL- MERAMAR GAON

P.S. GOBARDHANA
DIST.- BAKSA
ASSAM

4: ARFAN ALI
S/O- HANIF ALI
R/O- VILL- BILASIPARA
P.S. BARPETA ROAD
DIST.- BARPETA
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MD. I HUSSAIN

Advocate for the Respondent : PP, ASSAM

Linked Case : AB/1101/2023

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VERSUS

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

Advocate for : MD. I HUSSAIN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

17.05.2023

Heard Mr. I. Hussain, learned counsel for the petitioners and Mr. B.B. Gogoi, learned Addl. PP for the State.

2. This interlocutory application filed by the applicants, namely, 1. Tamez Uddin, 2. Mazim Uddin @ Nazim Uddin and 3. Sahidul Islam and 4. Arfan Ali praying for correction in the order dated 09.05.2023 passed in A.B. No. 1101/2023.

3. The applicants herein as the petitioners filed the A.B No. 1101/2023 and this Court upon hearing the learned counsels for the parties had passed the order dated 09.05.2023 granting interim bail to the petitioners. However, at Para-2 of the said order, inadvertently the name of the petitioner/applicant No 4 was omitted. Accordingly, this interlocutory application has been filed praying for correction in the order dated 09.05.2023 passed in A.B No. 1101/2023.

4. Accordingly, it is provided that the benefit of the order dated 09.05.2023 will also be applicable to the applicant No. 4 namely, Arfan Ali.

5. In the event of his arrest, the petitioner/applicant No. 4 shall be released upon furnishing a bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) only with two local sureties of like amount to the satisfaction of the arresting authority, subject, of course, to the following conditions:

(i) That the applicant No. 4 shall appear before the Investigating Officer within

10 days from today;

(ii) That the applicant No. 4 shall not hamper or tamper with the investigation in any manner;

(iii) That the applicant No. 4 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; and

(iv) That the applicant No. 4 shall not move out the jurisdiction without obtaining prior written permission from the concerned Investigating Officer of the case.

6. In the event, the applicant No. 4 is found to have violated any of the above conditions or is found to be involved in other offences, the Investigating Officer shall be at liberty to apply for recall/cancellation of the interim bail granted to the applicant No. 4.

7. In view of the above, the interlocutory application stands disposed of. This order today passed in I.A (Crl.) No. 389/2023 shall be read along with order dated 09.05.2023 passed in A.B. No. 1101/2023.

JUDGE

Comparing Assistant