

GAHC010016372024



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

Case No. : AB/197/2024

MD. NAZRUL ISLAM AND 4 ORS.
S/O LATE MOHAMMED ALI
R/O VILL- KATIGORAH PT.III,
P.O. KATIGORAH
DIST. CACHAR, ASSAM

2: NAZMIN ARA BEGUM
D/O MD NAZRUL ISLAM
R/O VILL- KATIGORAH PT.III

P.O. KATIGORAH
DIST. CACHAR
ASSAM

3: JUBEDA BEGUM
W/O MD. NAZRUL ISLAM
R/O VILL- KATIGORAH PT.III

P.O. KATIGORAH
DIST. CACHAR
ASSAM

4: ABDUL BASIT
S/O ABDUL MOTIN
R/O VILL- KATIGORAH PT.III

P.O. KATIGORAH
DIST. CACHAR
ASSAM

5: S.M. DILWAR JAHAN PARVEZ @ D. JAHAN PARVEZ
S/O LT. SAMSUL HAQUE
BARBHUIYA
R/O SONOI TOWN

P.O. SONAI MUKH

P.S. SONAI
DIST. CACHAR
ASSA

VERSUS

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

Advocate for the Petitioner : MR. N H BARBHUIYA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 18.03.2024

Heard Mr. N.H. Barbhuiya, learned counsel appearing for the petitioners. Also heard Mr. P.S. Lahkar, the learned Additional P.P. for the State of Assam and Mr. H.A. Laskar, the learned counsel appearing for the informant.

This is an application under Section 438 of the Cr.P.C. in respect of Dispur P.S. Case No.57/2024 (corresponding to G.R. Case No.319/2024) under Sections 447/379/352/34 of the Indian Penal Code.

The informant Asif Mustafa Barbhuiya has alleged in the FIR that the present petitioners illegally entered into his residence on 22nd October, 2023 and caused him grievous hurt with intention to kill him. It is further alleged that on that day, the petitioners had stolen a cash amount of Rs.9,60,000/- from his house.

The learned counsel for the informant submits that the money is yet to be recovered.

The learned Additional Public Prosecutor has submitted that pursuant to the interim order granted by this Court, all the petitioners had appeared before the Investigating Officer and cooperated with the investigation and they did not deserve to be detained in custody. Accordingly, their bail application is allowed. The interim bail granted to the present five petitioners is hereby made absolute.

The bail application stands disposed off.

CD shall be returned.

JUDGE

Comparing Assistant