

GAHC010017512024



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

Case No. : AB/226/2024

AINUDDIN @ AKRAM UDDIN AND 2 ORS
SON OF ABDUL MONNAN, RESIDENT OF VILLAGE- BAGAN, P.O.
KATHALTOLI, P.S. BAZARICHERA, DISTRICT- KARIMGANJ, ASSAM

2: ASAD UDDIN
SON OF LATE MOHIBUL HOQUE
RESIDENT OF VILLAGE- MARUGAON
P.O. KATHALTOLI
P.S. BAZARICHERA
DISTRICT- KARIMGANJ
ASSAM

3: SABIR AHMED @ SOBIR AHMED
SON OF WAIS ALI
RESIDENT OF VILLAGE- BAGAN
P.O. KATHALTOLI
P.S. BAZARICHERA
DISTRICT- KARIMGANJ
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY P.P., ASSAM

Advocate for the Petitioner : MR A T M HUSSAIN

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 27-03-2024

None appears for the petitioner when the matter is called. Heard Mr. P. Borthakur, learned APP for the State respondent.

This is an application under Section 438 of the CrPC, 1973 seeking Anticipatory Bail of the petitioners i.e. 1) Ainuddin @ Akram Uddin, 2) Asad Uddin and 3) Sabir Ahmed @ Sobir Ahmed, who are apprehending arrest in connection with Bazarichera PS Case No. 06/2024 registered under Sections 142/148/149/152/341/353/307/332/392/436/511 of the IPC.

It appears that by Order dated 02.02.2024, the petitioner was granted interim pre-arrest bail subject to conditions.

Mr. Borthakur, learned APP submits that the petitioner has appeared before the Investigating Officer in terms of the said interim pre-arrest bail order granted earlier. He further submits that the petitioner is cooperating with the investigation and at this stage, there are no adverse materials available on record against the petitioner.

Considering the facts and circumstances of the case, this Court is of the considered view that custodial interrogation may not be necessary for the ongoing investigation.

Accordingly, the interim pre arrest bail granted by this Court vide Order dated 02.02.2024 is hereby made absolute subject to the following conditions:-

- i) That the petitioners shall fully cooperate with the investigation of the

case and shall appear before the Investigating officer as and when required in connection with the investigation of the aforesaid PS Case; and

ii) That the petitioners 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.

iii) That the petitioners shall refrain from committing any similar offences in future of which he is accused or suspected of commission.

With the above observations and directions, the Anticipatory Bail Application stands disposed of.

JUDGE

Comparing Assistant