

GAHC010023192024



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

Case No. AB/173/2024

MONOHAR ALI @ MONOWAR ALI
S/O LATE FIROZ ALI
R/O VILL- BHAGAN
P.O KATHALTALI
P.S. BAZARICHERRA

DIST. KARIMGANJ
ASSAM

VERSUS

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

Advocate for : DR. B AHMED
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

Linked Case No. : AB/270/2024

KAMRUL HOQUE AND ANR
S/O- AYAJ ALI, R/O- VILL.- BHAGAN, P.O. KATHALTALI, P.S.
BAZARICHERRA, DIST.KARIMGANJ, ASSAM

2: EANAM HAQUE
S/O-SONAHAR ALI
R/O- VILL.- BHAGAN
P.O. KATHALTALI

P.S. BAZARICHERRA
DIST.KARIMGANJ
ASSA

VERSUS

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

Advocate for the Petitioner : DR. B AHMED

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

13.03.2024

Heard Mr. P.K. Roychoudhury, learned counsel for the petitioner. Also heard Mr. D. Das, learned Addl. P.P, Assam.

This is an application under Section 438 of the Cr.PC, 1973 for granting the privilege of pre-arrest bail to the petitioner, i.e., Monohar Ali @ Monowar Ali, who is apprehending arrested in connection with Bazaricherra P.S. Case No. 06/2024 (G.R. No. 39/24) registered under Sections 147/148/149/152/341/353/307/332/392/436/511 of IPC.

The Case Diary called for is placed before this Court.

It may be mentioned that by Order dated 23.01.2024, this Court granted interim pre-arrest bail to the petitioner subject to the conditions.

Mr. D. Das, learned Addl. P.P submits that the petitioner has appeared before the I.O in terms of the interim pre-arrest bail granted by this Court earlier. He further submits that no adverse material has been collected at this stage against the petitioner.

Considering the above, this Court is of the considered view that custodial interrogation of the petitioner is not justified for the on-going investigation.

Accordingly, the pre-arrest bail granted earlier by this Court vide Order dated 23.01.2024 is made absolute subject to the following conditions:-

- (i) That the petitioner shall cooperate in the on-going investigation.
- (ii) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any other persons who may be acquainted with the facts of the case so as to dissuade such persons from disclosing such facts to the Court or to any Police Officer.

With the above observation and direction, the anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant