

GAHC010024082024



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

Case No. : AB/284/2024

ABDUL HUSSAIN
S/O JABAN ALI
R/O- BAKARA PATTACHAPARI, BAKARA PATTACHAPARI, PS SOOTEA, DIST.
BISWANATH, ASSAM

VERSUS

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

Advocate for the Petitioner : TUN RAJKHOWA

Advocate for the Respondent : PP, ASSAM

B E F O R E
HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

15.02.2024

Heard Ms. T. Rajkhowa, learned counsel for the petitioner as well as Ms. N. Das, learned Addl. P.P. appearing for the State respondent.

2. The petitioner, namely, Abdul Hussain, has filed this application under

Section 438 Cr.P.C with prayer for pre-arrest bail as he is apprehending arrest in connection with Sootea P.S. Case No. 02/2024, registered under Sections 325/307/384 of the Indian Penal Code.

3. On 10.01.2024, the Akbar Ali has lodged the FIR before the police alleging that on that day at around 3.00 P.M., the present petitioner had assaulted Sofikul Islam, the son of the informant and snatched away cash amount of Rs. 23,000/- from him.

4. The case diary does not have sufficient materials against the present petitioner. Moreover, the medical report shows that the injured person sustained simple injuries.

5. For the aforesaid reasons, further detention of the petitioner in custody is not required at this stage. The pre-arrest bail of the petitioner is allowed.

6. Accordingly, the petitioner, namely, Abdul Hussain shall be released on bail of Rs. 25,000/- with one surety of like amount to the satisfaction of the arresting authority,

Under the condition that;

(i) the petitioner shall co-operate with the investigating officer as and when required.

7. With the above observation, this pre-arrest bail application stands disposed of.

JUDGE

Comparing Assistant