

GAHC010036172024



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

Case No. : AB/454/2024

SORIFUL ISLAM SHEIKH @ SARIFUL SK. @ DADU
S/O NUR ILSAM SHEIKH
R/O VILL- MAKTAIGAON-II, P.S. GOSSAIGAON, SUB-DIVISION-
GOSSAIGAON, SUB DIVISION- GOSSAIGAON, IN THE KOKRAJHAR
DISTRICT OF ASSAM.

VERSUS

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

Advocate for the Petitioner : MR A W AMAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 12-03-2024

Heard Mr. S. Das, learned counsel for the petitioner as well as Mr. MP Goswami, learned APP for the State.

2. The petitioner, namely, Soriful Islam Sheikh @ Sariful Sk. @ Dadu

who is apprehending arrest in connection with Kazigaon P.S. Case No. 04/2024 under sections 120(B)/417/420/353 IPC read with section 67 of the IT Act has filed this application under section 438 Cr.P.C., praying for pre-arrest bail.

3. It is submitted by the learned counsel for the petitioner that the petitioner is no way connected with the alleged offence. The husband of the victim has no knowledge regarding Whatsapp message for providing answers to the wife of Nazimul Hoque.

4. In view of the above, the benefit of pre-arrest bail be extended to the petitioner.

5. In response, the learned APP has produced the case diary and he submits that the arrested accused had given a statement that the present petitioner had provided answers to the questions to him for supplying to his wife through Whatsapp message. However, he may appear before the IO for recording his statement and cooperate with further investigation of the case.

6. The case diary is received and has been perused.

7. Accordingly, it is provided that in the event of arrest of the petitioner, named above, in connection with Kazigaon P.S. Case No. 04/2024, he shall be released on furnishing bail bond of Rs.10,000/- with a suitable surety of the like amount, to the satisfaction of the arresting authority.

8. The direction for pre-arrest bail is subject to the conditions that the petitioner:

(a) Shall appear before the Investigating Police Officer within ten days from today and shall co-operate with the investigation;

(b) 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.

9. Send back the case diary.

10. Bail application stands disposed of.

JUDGE

Comparing Assistant