

GAHC010037872024



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

Case No. : AB/466/2024

ALI HUSSAIN AND ANR.
S/OLATE AFIRUDDIN
R/O MLANPUKHURI
P.S. DHEKIAJULI
PO. SIRAJULI
DIST. SONITPUR

2: ABDUL MAJID
SO LATE SAFARUDDIN
R/O MOLAN PUKHURI
P.S. DHEKIAJULI
P.O. SIRAJULI
DIST. SONITPUR
ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. S C BISWAS

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 22.03.2024

Heard Mr. S.C. Biswas, learned counsel appearing for the Petitioners. I

have also heard Mr. D.P.Goswami, learned Additional P.P. for the State of Assam.

This is an application under Section 438 of the Cr.P.C. in respect of Dhekiajuli P.S. Case No. 239/2023 under Sections 147/353/324/294/332/323/506 of the Indian Penal Code.

It is alleged in the FIR that the informant lady was subjected to cruelty by her husband and her relatives. When police went there to investigate, the informant alongwith her family members quarreled with police. It was further alleged that police staff was attacked with the sharp weapon.

The medical report shows that the informant lady has suffered simple injuries only.

This Court is of the opinion that the petitioners do not deserved to be detained in custody. Therefore, the pre-arrest bail application of the petitioners is allowed.

It is hereby directed that in the event of arrest in connection with Dhekiajuli P.S. Case No. 239/2023, the petitioners namely 1. Ali Hussain and 2. Abdul Majid shall be released on bail of Rs.25,000/- each with a surety of like amount to the satisfaction of the arresting authority. It is further directed that the petitioner shall cooperate with the Investigating Officer as and when called for.

The bail application is disposed off accordingly.

JUDGE

Comparing Assistant