

GAHC010048212024



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

Case No. : AB/572/2024

HASIBUL ISLAM
S/O ABDUL HAKIM
VILL- AHMEDPUR
P.S. BIHPURIA
DIST. LAKHIMPUR, ASSAM
PIN-787054

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MAHIBUR RAHMAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

15.03.2024

Heard Mr. M. Rahman, learned counsel for the petitioner. Also heard Ms. A. Begum, learned Additional Public Prosecutor, for the State respondent.

This is an application under Section 438 of the Code of Criminal

Procedure, 1973 for granting pre-arrest bail to the accused petitioner, namely, i.e. Hasibul Islam, who is appending arrest, in connection with Nagaon P.S. Case No. 39/2024, registered under Section 120(B)/420/406/386 of the IPC.

The case of the prosecution is that fake gold has been recovered from the possession of one Ali Hussain. Accordingly, a case was registered.

Mr. M. Rahman, learned counsel for the petitioner submits that the petitioner is not named in the FIR.

Ms. A. Begum, learned Additional Public Prosecutor, for the State respondent, on the other hand, submits that the main accused of the case has stated in his statement that he had hired two groups of persons consisting 10 numbers of person in each group, out of which, petitioner is one of them for selling fake gold.

She further submits that the investigation is at an active stage.

I have heard the submissions made at the bar and have perused the materials available on record.

It appears from the materials available on record that there are materials implicating the involvement of the petitioner for the alleged offence.

It further appears that the investigation is at an active stage and as such, the custodial interrogation of the petitioner for unearthing the truth is essential.

Considering the above, the prayer for anticipatory bail is rejected at this stage.

With the above observation, this anticipatory bail application is hereby disposed of.

JUDGE

Comparing Assistant