

GAHC010049312024



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

Case No. : AB/665/2024

JAKIR AHMED @ ALI AND ANR.
S/O JAHAR ALI
R/O RANGIA WARD NO. 1,
P.S. RANGIA
DIST. KAMRUP (M), ASSAM

2: RAFIKUL ISLAM @ LUCKY ALI
S/O BAHARUL ISLAM
R/O VILL- BOROMBOI
P.S. HAJO
DIST. KAMRUP
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MS G DEKA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 13-03-2024

Heard Ms. G. Deka, learned counsel for the petitioners. Also heard Mr. D. Das, learned Additional Public Prosecutor for the State respondent.

2. This is an application seeking pre-arrest bail under Section 438 of the Code of Criminal Procedure, 1973, filed by the petitioners, namely 1. Jakir Ahmed @ Ali and 2. Rafikul Islam @ Lucky Ali, who are apprehending arrest in connection with PRC Case No. 552/2023 registered under Sections 370/371 of the Indian Penal Code, 1860 pending before the learned Judicial Magistrate First Class, Rangia (Rangia Police Station Case No. 918/2020).

3. It is submitted at the bar that charge sheet has already been submitted in the matter vide CS No. 293 dated 31.08.2023 and that summons have already been issued from the learned Court of Judicial Magistrate First Class, Rangia and the next date of appearance is on 10.05.2024.

4. In view of the aforesaid submissions, this Court is of the considered view that this Anticipatory Bail application can be disposed of with a direction to the petitioners to appear before the learned Court of Judicial Magistrate First Class, Rangia on the next date i.e. on 10.05.2024 and till then, the petitioners shall not be arrested.

5. It is further clarified that upon appearance the Magistrate Court shall decide the matter for bail in accordance with law.

Anticipatory Bail application stands disposed of accordingly.

JUDGE

Comparing Assistant