

GAHC010053322024



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

Case No. : AB/681/2024

MD. HASMAT ALI AND 4 ORS.

S/O LATE MAIJUDDIN @ MAHIJUDDIN, R/O VILL- MAILA ALI, P.O.-
SIRAJULI, P.S.-DHEKIAJULI, DIST-SONITPUR, ASSAM

2: SABER ALI

S/O MD. HASMAT ALI
R/O VILL- MAILA ALI
P.O.-SIRAJULI
P.S.-DHEKIAJULI
DIST-SONITPUR
ASSAM

3: MD. SAIRUDDIN @ MD. SAIRUDDIN AHMED

S/O MD. HASMAT ALI
R/O VILL- MAILA ALI
P.O.-SIRAJULI
P.S.-DHEKIAJULI
DIST-SONITPUR
ASSAM

4: CHALABUDDIN @ SALA UDDIN

S/O MD HASMAT ALI
R/O VILL- MAILA ALI
P.O.-SIRAJULI
P.S.-DHEKIAJULI
DIST-SONITPUR
ASSAM

5: MD. KHALIL ALI @ KHALIT RAHMAN @ KHALILUR RAHMAN
S/O ABDUL HAI @ HURU

R/O VILL- MAILA ALI
P.O.-SIRAJULI
P.S.-DHEKIAJULI
DIST-SONITPUR
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR M HOQUE

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

26.04.2024

Heard Mr. M Hoque, learned counsel for the petitioners. Also heard Mr. Goswami, learned Additional Public Prosecutor, Assam.

This is an application under Section 438 Cr.P.C., praying for grant of pre-arrest bail to the petitioners, 1. Md. Hasmat Ali, 2. Saber Ali, 3. Md. Sairuddin @ Md. Sairuddin Ahmed, 4. Chalabuddin @ Sala Uddin and 5. Md. Khalil Ali @ Khalit Rahman @ Khalilur Rahman in connection with Dheliajuli PS case No. 27/2024 under Sections 147/148/149/120(B)/326/448/325 IPC.

Perused the material available on record along with the case diary.

This court granted interim protection to the petitioners on 14.03.2024. The petitioners appeared before the Investigating Officer and their statements had also been recorded by the Investigating Officer.

Considering the stage of investigation, material so far collected and also considering the fact that the petitioners have co-operated with the investigation, this

court is of the view that there is no requirement of custodial interrogation of the petitioners. Accordingly, the present bail application stands allowed. The interim order dated 14.03.2024 is hereby made absolute.

JUDGE

Comparing Assistant