

GAHC010073762024



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

Case No. : AB/934/2024

RIJUL ALI
RESIDENT OF VILLAGE NAYANAPARA, PO JALAH, PS CHANGSARI, DIST
KAMRUP ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MD I HUSSAIN AL AMEEN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 05.06.2024

Heard the learned counsel for the parties.

By this application under Section 438 Cr.P.C., the petitioner, namely, ***Rijul Ali*** has prayed for pre arrest bail who is apprehending arrest in connection with ***Changsari PS Case No.94/2024*** under

sections **448/326/392 IPC.**

Case diary called for is received and perused.

Perusal of the case diary reflects that the present petitioner is a co participator in the commission of crime of dacoity along with the arrested accused person, namely, Siddique Ali and Md. Rana Ali. The case diary further reveals that the petitioner is also an accused in Changsari PS Case No.310/2024 under sections 419/395 IPC.

The materials so far collected further suggests that the petitioner is involved in other cases of commission of dacoity along with the arrested accused also.

Considering the incriminating materials available in the case diary, this court is of the opinion that this is not a fit case for grant of privilege of pre arrest bail, inasmuch as the custodial interrogation of the petitioner may be required for completion of investigation. Accordingly the present application stands dismissed.

The interim order stands vacated.

The case diary be returned back.

JUDGE

Comparing Assistant