

GAHC010076902024



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

Case No. : AB/998/2024

MONOWARA BEGUM AND 3 ORS.
W/O ABUL KALAM, R/O VILL- LALIPATHAR, BECHAMARI, P.O.-
BECHAMARI, P.S.-DHING, DIST-NAGAON

2: ASHADUL ISLAM
S/O ABUL KALAM
R/O VILL- LALIPATHAR
BECHAMARI
P.O.-BECHAMARI
P.S.-DHING
DIST-NAGAON

3: ABUL KASHEM
S/O LATE ABDUL HAMID
R/O VILL- LALIPATHAR
BECHAMARI
P.O.-BECHAMARI
P.S.-DHING
DIST-NAGAON

4: MIRAJUL ISLAM
S/O LATE HAMED ALI
R/O VILL- MOIRABARI
P.O. AND P.S.-MOIRABARI
DIST-MORIGAO

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A DEKA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 05-06-2024

1. Heard Mr. A Deka, learned counsel for the petitioners. Also heard Mr. B Sarma, learned Addl. PP, Assam.
2. By this application the petitioners, namely, **1. Monowara Begum, 2. Ashadul Islam, 3. Abul Kashem & 4. Mirajul Islam** have prayed for pre arrest bail under section 438 Cr.P.C who are apprehending arrest in connection with **Satgaon PS Case No.53/2024** under sections **498(A)/325/315/380 IPC** read with section 4 of Dowry Prohibition Act.
3. The case diary called for is received and the same is perused.
4. From the case diary it is seen that the allegation is primarily against accused Ashadul Islam. The materials so far collected by the investigating agency against the petitioners namely, Monowara Begum, Abul Kashem & Mirajul Islam, in the considered opinion of this court do not warrant custodial interrogation.
5. As such this anticipatory bail application is hereby disposed of by providing that in the event of arrest of the petitioners in connection with the aforementioned case, the petitioners, above named shall be released on bail on furnishing a bond of Rs.30,000/- each with one local surety of the like amount to the satisfaction of the arresting authority subject to the condition that:

- I. The petitioners shall appear before the Officer in charge of the concerned PS within 10 (ten) days from today;
- II. The petitioners shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.
- III. The petitioners shall not leave the territorial jurisdiction of the concerned I.O. without prior intimation and shall not hamper with the investigation or tamper with the evidence of the case.
6. The pre-arrest bail application stands disposed off.
7. Send back the case diary.

JUDGE

Comparing Assistant