

GAHC010080142024



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

**Case No. : Bail Appln./1148/2024**

SHADAB MALIK AND ANR  
S/O- ISLAMUDDIN, R/O- HOUSE NO. 206 GALI NO. 35, NEW ISLAM NAGAR,  
P.S. LISARI, DIST.- MEERUT, UP - 250002, PRESENT ADDRESS- ULUBARI,  
GUWAHATI, P.S. PANBAZAR, DIST.- KAMRUP (M), ASSAM

2: SALMAN @ SALMAN MALIK  
S/O- YASIN  
R/O- GARH ROAD  
SISOLI P.S. MUNDALI  
DIST.- MEERUT  
UP - 250004  
PRESENT ADDRESS- ULUBARI  
GUWAHATI  
P.S. PANBAZAR  
DIST.- KAMRUP (M)  
ASSAM

VERSUS

THE STATE OF ASSAM  
REP BY PP ASSAM

**Advocate for the Petitioner : MR. A K AZAD**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**Date : 30-04-2024**

Heard Mr. A.K. Azad, learned counsel for the accused-petitioners and Ms. A. Begum,  
learned Additional Public Prosecutor for the respondent State of Assam.

By this application under Section 439, Code of Criminal Procedure, 1973, the accused-petitioners viz. [1] Shadab Malik and [2] Salman @ Salman Malik have prayed for their release on bail in connection with Mushalpur Police Station Case no. 33/2024, registered for offences under Sections 457/379/511/34, Indian Penal Code [IPC] with added Section 401, IPC.

Ms. Begum, learned Additional Public Prosecutor has submitted, on instruction, that after completion of investigation in connection with Mushalpur Police Station Case no. 33/2024, the Investigating Officer [I.O.] of the case has already submitted a charge-sheet under Section 132[2], CrPC vide Charge-Sheet no. 22/2024 dated 24.04.2024 finding a prima facie case well established against the charge-sheeted accused persons, which includes the present accused-petitioners.

In view of the above, the instant bail application stands closed, reserving the liberty to the accused-petitioners to approach the learned jurisdictional trial court for their release on bail, with the observation that in the event the accused-petitioners approach the learned jurisdictional trial court seeking bail, the jurisdictional trial court will consider such application on its own merits and in accordance with law in an expeditious manner.

**JUDGE**

**Comparing Assistant**