

GAHC010083612024



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

Case No. : AB/1097/2024

ABDUR RAHMAN AND 3 ORS.
D/O JAMAL UDDIN,
VILL.- KAKARJALA,
P.S.- JAGIROAD,
P.O.- JHARGAON,
DIST.- MORIGAON, ASSAM, PIN- 782410.

2: SABIQUL ISLAM
S/O ABDUR RAHMAN

VILL.- KAKARJALA

P.S.- JAGIROAD

P.O.- JHARGAON

DIST.- MORIGAON
ASSAM
PIN- 782410.

3: RAJIKUL ISLAM
S/O ABDUR RAHMAN

VILL.- KAKARJALA

P.S.- JAGIROAD

P.O.- JHARGAON

DIST.- MORIGAON
ASSAM
PIN- 782410.

4: MOFIQUL ISLAM

S/O FURKAN ULLAH

VILL.- BECHAMARI

P.O.- MORABARI

P.S.- DHING

DIST.- NAGAON

ASSAM

PIN- 782123

VERSUS

THE STATE OF ASSAM

TO BE REP. BY THE LEARNED P.P., ASSAM.

Advocate for the Petitioner : MR G CHAMUAH

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

Date : 29-05-2024

Heard Mr. G. Chamuah, learned counsel for the petitioners.

2. The petitioners namely 1. Abdur Rahman, 2. Sabiqul Islam, 3. Rajikul Islam and 4. Mofiqul Islam have filed this application under Section 438 of the Code of Criminal Procedure, 1973 (CrPC for short) with a prayer for pre-arrest bail as they are apprehending arrest in connection with Jagiroad Police Station Case No. 61/2024 (GR No. 303/2024) under Sections 120(B)/420/406/409/468/376/34 of the Indian Penal Code, 1860 (IPC for short).

3. Also heard Mr. R.R. Kaushik, learned Additional Public Prosecutor, Assam

for the respondent State.

4. It is submitted on behalf of the petitioners that the petitioner No. 1 is the father of the petitioner Nos. 2 and 3 whereas the petitioner No. 4 is a vegetable vendor. It is also submitted that the petitioners have been falsely roped in connection with this case. The petitioners are innocent.

5. The learned Additional Public Prosecutor, Assam has raised serious objection stating the petitioners representing a Non-Existent Bank have induced poor farmers to invest for procurement of loan. The victims have deposited money for procurement of loan but neither the money has been refunded nor the loan has been disbursed.

6. I have considered the submissions at the bar with circumspection. I have also scrutinized the Case Diary.

7. Indeed there are incriminating materials in the Case Diary against the petitioners. At this juncture, there appears to be no justified ground to extend the privilege of anticipatory bail to the petitioners.

8. Petition stands rejected at this stage.

9. In the above terms and observations, this Anticipatory Bail application stands disposed of.

10. Send back the Case Diary.

JUDGE

Comparing Assistant