

GAHC010084092024



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

Case No. : AB/1080/2024

NUR AMIN
S/O NASIRUDDIN ,
RESIDENT OF VILLAGE NUMBERPARA PART III, PS ABHAYAPURI, DIST
BONGAIGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY PP ASSAM

Advocate for the Petitioner : MR. N MAHAJAN

Advocate for the Respondent : PP, ASSAM

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

27.05.2024

Heard Mr. D Bora, learned counsel for the applicant. Also heard Mr. KK Parasar, learned Additional Public Prosecutor, Assam.

Apprehending arrest in connection with Kalgachia PS case No. 34/2024, under Sections 379/411/427/34 IPC, this application under Section 438 Cr.P.C. is preferred by the applicant, namely, Nur Amin, for grant of pre-arrest bail.

It is to be noted here that the aforementioned case has been registered on the basis of one FIR lodged by one Khairul Bhuyan, on 26.03.2024. The essence of allegation made in the aforesaid FIR is that on 23.03.2024, one E-Rickshaw, belonging to the informant was stolen from Kalgachia Weekly Market, and later on, he came to know that one Manirul Islam along with one Sarbat Ali has stolen his vehicle and sold the same in the damp belonging to one Jahidul Islam and Nur Amin and accordingly, the incident was reported to police and police apprehended Manirul Islam and Sarbat Ali and pursuant to the information furnished by them, the stolen E-Rickshaw was recovered from the damp of Jahidul Islam and Nur Amin and Jahidul Islam was apprehended by police and Nur Amin managed to escape.

This court vide order dated 26.04.2024, while calling for the case diary had granted interim protection to the petitioner.

Case diary as called for has been produced by the learned Additional Public Prosecutor, Assam.

The petitioner had appeared before the investigating officer and co-operated with the investigation.

Considering the nature of allegation and also considering the fact that the petitioner has co-operated with the investigation, this court is of the considered opinion that further interrogation of the petitioner may not be necessary in the present case. Accordingly, the present anticipator bail application stands allowed by making the interim order dated 26.04.2024 absolute with the same terms and conditions.

Bail application stands disposed of.

JUDGE

Comparing Assistant