

GAHC010090412024



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

Case No. : AB/1182/2024

SAHID AHMED AND ANR.
S/O TAJ UDDIN AHMED
R/O KHUMTAI BAGAN
P.S. MORANHAT
DIST. CHARAIDEO,
PIN-785670

2: TAHIR AHED
S/O TAJ UDDIN AHMED
R/O KHUMTAI BAGAN
P.S. MORANHAT
DIST. CHARAIDEO

PIN-78567

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. R DEV

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 28-05-2024

Heard the learned counsel for the parties.

By this application under Section 438 Cr.P.C., the applicants,

namely, **1. Sahid Ahmed, & 2. Tahir Ahmed** have prayed for pre arrest bail who are apprehending arrest in connection with **Hatigaon PS Case No.53/2024** under sections **420/406/468/341 IPC** corresponding to GR Case No.1667/2024.

Case diary called for is received and perused the same.

It is alleged by the informant that the applicants with a promise to the informant that the accused persons will do something to generate income for the informants, who are unemployed youth and opened bank account in their name. Subsequently the informant could learn that in their name loans were sanctioned for purchase of different vehicles including motor cycle and thus they have been cheated.

From the case diary, it is seen that sufficient materials have been collected, suggesting that one Abdullah Ahmed and Monish Chetry are the main kingpin and the petitioners are assisting the two accused. The modus operandi of the aforesaid group is that they target unemployed youth and promise them with income and accordingly open bank accounts in their names with an assurance that income/payment can be made only in bank accounts and subsequently, loans were sanctioned for purchase of motor cycles etc in their name without their knowledge and thereafter those motor cycles are sold in different states like Arunachal Pradesh, Nagaland etc.

The materials so far collected by the investigating authority further suggests that the petitioners are also assisting the prime accused in commission of the offence. The prime accused namely

Abdullah Ahmed is still at large, though co accused Monish Chetri was arrested.

Be that as it may, as the sufficient incriminating materials are there in the case diary, this court is of the view that this is not a fit case for grant of privilege of pre arrest bail.

Accordingly the pre arrest bail application stands dismissed.

Send back the case diary.

JUDGE

Comparing Assistant