

GAHC010098272024



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

Case No. : Bail Appln./1470/2024

ALI HUSSAIN AND 2 ORS.
S/O LATE NISHABUDDIN SK.
R/O VILL- DUDHNATH PART-II, P.S. CHAPAR, DIST. DHUBRI, ASSAM

2: NUR KHATUN BIBI
W/O ALI HUSSAIN
R/O VILL- DUDHNATH PART- II

P.S. CHAPAR

DIST. DHUBRI
ASSAM

3: ALMINA KHATUN
D/O ALI HUSSAIN
R/O VILL- DUDHNATH PART-II

P.S. CHAPAR
DIST. DHUBRI
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. R BORA

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

ORDER

28.05.2024

Heard Mr. D. Gogoi, learned counsel for the petitioners. Also heard Mr. B. Sarma, learned Additional Public Prosecutor for the State.

This is an application made under Section 439 Cr. P.C. seeking bail by the accused/petitioners, namely, **(1) Ali Hussain, (2) Nur Khatun Bibi and (3) Almina Khatun**, who were arrested on 04.03.2024 in connection with Chapar P.S. Case No. 30/2024 registered under Sections 302/120B of IPC.

The petitioners have been in custody for last 84 days. The statutory period to complete the investigation is 90 days.

The case diary called for has not been produced. However, Mr. B. Sarma, learned Additional Public Prosecutor for the State submits that the charge sheet has not yet been filed.

Considering the above, more particularly, the period of detention, this Court is of the view that the further custody of the petitioners may not be necessary in this case.

Accordingly, it is directed that the petitioners, named above, be released on bail in connection with the case aforementioned, on their furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one surety of like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate (M), Bilasipara, with the following conditions.

- (a) Shall not leave the territorial jurisdiction of learned Sub Divisional Judicial Magistrate (M), Bilasipara, without prior written permission from him/her;

- (b) Shall not hamper with the investigation of the case and tamper with the evidence of the case;
- (c) 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 them from disclosing such facts to the Court or to any police office.

In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant