

GAHC010099232024



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

Case No. : AB/1299/2024

MIJAN ALI
S/O ALLAUDDIN ALI
PERMANENT R/O VILL- NARAYANPUR
P.O. AND P.S. LAKHIMPUR
DIST.LAKHIMPUR, ASSAM
PRESENTLY R/O C/O JERINA SULTANA, W/O MASFIQUR RAHMAN,
NALBARI TOWN, B.K. ROAD, NEAR IDGAH FIELD, WARD NO. 8, P.S. AND
DIST. NALBARI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MS. R KALITA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 04-06-2024

1. Heard Ms. R Kalita, learned counsel for the petitioner. Also heard Mr. M.P. Goswami, learned Addl. PP, Assam.
2. By this application the petitioner, namely, **Mijan Ali** has prayed for pre arrest bail under section 438 Cr.P.C who is

apprehending arrest in connection with ***Nalbari PS Case No.139/2024*** under sections ***294/354(c)/354/511/506 IPC***.

3. The case diary called for is received and the same is perused.

4. The materials so far collected by the investigating authority, in the considered opinion of this court do not warrant custodial interrogation of the present petitioner subject to the condition that the petitioner will appear before the investigating officer, record his statement and cooperate with the investigation and do not try to keep contact with the victim as well as do not repeat such kind of offence.

5. As such this anticipatory bail application is hereby disposed of by providing that in the event of arrest of the petitioner in connection with the aforementioned case, the petitioner, above named shall be released on bail on furnishing a bond of Rs.30,000/- with one local surety of the like amount to the satisfaction of the arresting authority subject to the condition that:

I. The petitioner shall appear before the Officer in charge of the concerned PS within 10 (ten) days from today;

II. The petitioner 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 him/her from disclosing such facts to the Court or to any police officer.

III. The petitioner shall not leave the territorial jurisdiction of the concerned I.O. without prior intimation and shall not hamper with the investigation or tamper with the evidence of the case.

IV. Shall not try to contact the victim as well as shall not

repeat such kind of offence in the future.

6. The pre-arrest bail application stands disposed off.
7. Send back the case diary.

JUDGE

Comparing Assistant