

GAHC010105102024



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

Case No. : Bail Appln./1531/2024

MOFIDA KHATUN AND 4 ORS.
W/O HARUN RASID
R/O VILL- LAILURI
P.S. RUPAHIHAT
DIST. NAGAON, ASSAM

2: NUR NEHAR BEGUM
W/O ABUL KALAM
R/O VILL- LAILURI
P.S. RUPAHIHAT
DIST. NAGAON
ASSAM

3: PARBINA KHATUN
W/O JOINAL UDDIN
R/O VILL- LAILURI
P.S. RUPAHIHAT
DIST. NAGAON
ASSAM

4: AKLIMA KHATUN
W/O GULJAR HUSSAIN
R/O VILL- LAILURI
P.S. RUPAHIHAT
DIST. NAGAON
ASSAM

5: RASHIDA KHATUN
W/O IMAN UDDIN
R/O VILL- LAILURI
P.S. RUPAHIHAT
DIST. NAGAON
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR S M ABDULLAH P

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

29.05.2024

Heard Mr S M Abdullah P, learned counsel for the petitioners, 1) Mofida Khatun, 2) Nur Nehar Begum, 3) Parbina Khatun, 4) Aklima Khatun and 5) Rashida Khatun.

2. The petitioners have filed this application under Section 439 CrPC, with prayer for bail as they are behind bars since 19.05.2024, in connection with Rupahihat PS Case No. 116/2024, under Sections 147/148/149/447/325/ 307/436/379 of the Indian Penal Code, 1860..

3. Heard Ms A Begum, learned Additional Public Prosecutor for the State of Assam.

4. It is submitted on behalf of the petitioners that they are housewives and their family is suffering as they are behind bars.

5. The FIR reveals that the allegations against the petitioners is that they along with some other miscreants, armed with deadly weapons, trespassed into the informant's

house and assaulted them, causing grievous injuries to several family members of the informant.

6. The learned Additional Public Prosecutor has raised serious objection.

7. It is submitted that the petitioners are willing to cooperate with the remaining part of the investigation.

8. The petitioners are local residents and they are not flight risks.

9. In view of my foregoing discussions and considering all aspects, petition is allowed. The petitioners are enlarged on bail of Rs. 50,000/- each, with one surety each of the like amount to the satisfaction of the learned SDJM Kaliabor, Nagaon, under the conditions that:-

- i) the petitioners shall refrain from such activities, with which they are alleged,
- ii) the petitioners shall not leave the jurisdiction of the Court without prior permission, till completion of investigation.

On breach of any of the bail conditions, the bail order shall stand cancelled.

10. Bail Application stands disposed of.

11. Send back the Case Diary

JUDGE

Comparing Assistant