

GAHC010105212024



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

Case No. : AB/1379/2024

RAHMAT ALI AND 6 ORS
S/O KABED ALI, R/O VILL- KHETESWAR, P.S.-KHARUPETIA, DIST-
DARRANG, ASSAM

2: OMAR KAZI
S/O LATE NADER ALI
R/O VILL- KHETESWAR
P.S.-KHARUPETIA
DIST- DARRANG
ASSAM

3: AINAL HOQUE
S/O LATE NADER ALI
R/O VILL- KHETESWAR
P.S.-KHARUPETIA
DIST- DARRANG
ASSAM

4: ABDUL MAZOM
S/O ASMAT ALI
R/O VILL- KHETESWAR
P.S.-KHARUPETIA
DIST- DARRANG
ASSAM

5: MUSA ALAM
S/O KABED ALI
R/O VILL- KHETESWAR
P.S.-KHARUPETIA
DIST- DARRANG
ASSAM

6: TAJER RAHMAN
S/O LATE NADER ALI

R/O VILL- KHETESWAR
P.S.-KHARUPETIA
DIST- DARRANG
ASSAM

7: FAKIR ALI
S/O ISOB ALI
R/O VILL- KHETESWAR
P.S.-KHARUPETIA
DIST- DARRANG
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR M HOQUE

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 18-06-2024

1. Heard Ms. J. Begum, learned counsel for the petitioner. Also heard Mr. R. R. Kaushik, learned Additional Public Prosecutor who has produced the case diary of Kharupetia PS Case No. 48/2024 and has submitted that though the case diary is not up-to-date, however, the injury report is available in the case diary, which indicates that the injury sustained by the victim are simple in nature.

2. On the other hand, learned counsel for the petitioners has submitted that by order dated 29.05.2024 the petitioners, namely, 1. Rahmat Ali, 2. Omar

Kazi, 3. Ainal Hoque, 4. Abdul Mazom, 5. Musa Alam, 6. Tajer Rahman and 7. Fakir Ali were allowed to go on interim bail with certain directions and in pursuant to the directions of this Court, the petitioners have appeared before the Investigating Officer and have cooperated in the investigation.

3. Considering the submissions made by the learned counsel for the petitioners as well as the learned Additional Public Prosecutor, it appears that custodial detention of the petitioners would not be necessary for fair completion of the Kharupetia PS case No. 48/2024. Hence, the interim bail granted to the above named petitioners by order dated 29.05.2024 is hereby made absolute with conditions Nos. 1, 2 and 3 attached to the said order remaining intact.

4. With the above observation, this anticipatory bail application is disposed of.

5. Send back the case diary.

JUDGE

Comparing Assistant