

GAHC010122672024



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

Case No. : AB/1458/2024

MD. MOHAR ALI AND 2 ORS.
S/O MD. ABDUL SALAM
R/O VILL- HABLAKHA
P.S.-HAJO
DIST- KAMRUP
ASSAM

2: MD. JAKIR ALI
S/O MD. AJIJUR RAHMAN
R/O VILL- HABLAKHA
P.S.-HAJO
DIST- KAMRUP
ASSAM

3: MD. GOLAP HUSSAIN @ GOLAP ALI
S/O MD. AJIJUR RAHMAN
R/O VILL- HABLAKHA
P.S.-HAJO
DIST- KAMRUP
ASSAM
VERSUS

THE STATE OF ASSAM AND ANR.
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

2:MD. AMZAD ALI
S/O KASHEM ALI
R/O VILL- SARABARI BILPAR
P.O. AND P.S.-HAJO
DIST- KAMRUP

ASSAM

Advocate for : MR. B CHOWDHURY

Advocate for : PP

ASSAM appearing for THE STATE OF ASSAM AND ANR.

Linked Case No. : AB/1594/2024

ABBASH ALI

S/O LT. SHADULLAH ALI,

VILL.- HABLAKHA, P.S.- HAJO, DIST.- KAMRUP, ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR.

REP. BY THE P.P., ASSAM

2:AMZAD ALI

S/O KASHEM ALI

VILL.- SARABARI

P.O. AND P.S.- HAJO

DIST.- KAMRUP

ASSAM

Advocate for the Petitioner : MR. B CHOWDHURY,

Advocate for the Respondent : PP, ASSAM,

BEFORE

HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

25.11.2024

Heard Mr. B. Chowdhury, learned counsel for the applicants. Also heard Mr. R.J. Barua, learned Addl. PP, Assam.

This is an application under Section 438 Cr.PC for granting anticipatory bail to the applicants, i.e., Md. Mohar Ali, Md. Jakir Ali and Md. Golap Hussain @

Golap Ali, who are apprehending arrest in connection with Hajo Police Station Case No. 154/2024 registered under Sections 365/325/354/34 IPC read with Section 6 of the POCSO Act, 2012 arising out of FIR lodged by one Amzad Ali on 08.05.2024.

Pertinent that this Court by Order dated 04.06.2024 granted interim bail to the applicants.

Mr. R.J. Barua, learned Addl. PP, Assam submits that in the meantime, Charge-sheet has been submitted by C.S. No. 191/2024 dated 31.07.2024. He further submits that summons have been issued by the Trial Court to the applicants before the Trial Court.

In view of the above, this Court is of the considered view that the Anticipatory Bail application can be disposed of with a direction that the applicants shall appear before the Trial Court as per the summons issued.

It is further clarified that till then, the interim bail granted by Order dated 04.06.2024 shall remain in force. Thereafter, the Trial Court is at liberty to consider the prayer for bail in accordance with law.

With the above observation and direction, the Anticipatory Bail application stands disposed of.

JUDGE

Comparing Assistant