

GAHC010113482024



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

Case No. : AB/1491/2024

MD LALMAMUD ALI @ LALMAMUD ALI AND 5 ORS
S/O LATE ALIMUDDIN, R/O NO. 2 KANDHBARI, P.O.-KANDHBARI, P.S.-
MUKALMUA, DIST-NALBARI, ASSAM, PIN CODE 781126

2: JEHERUL ISLAM @ MD JEHERUL ISLAM
S/O LATE AKABBOR ALI
R/O NO. 2 KANDHBARI
P.O.-KANDHBARI
P.S.-MUKALMUA
DIST-NALBARI
ASSAM
PIN CODE 781126

3: HAIDAR ALI @ MD HAIDAR ALI @ SHOHIDUL ISLAM
S/O LATE AKABBAR ALI
R/O NO. 2 KANDHBARI
P.O.-KANDHBARI
P.S.-MUKALMUA
DIST-NALBARI
ASSAM
PIN CODE 781126

4: SAFAR ALI @ BILLAL
S/O HUSSAIN ALI
R/O NO. 2 KANDHBARI
P.O.-KANDHBARI
P.S.-MUKALMUA
DIST-NALBARI
ASSAM
PIN CODE 781126

5: JAHIRAN BIBI @ MISS JAHIRAN BIBI
W/O LATE AKABBAR ALI
R/O NO. 2 KANDHBARI

P.O.-KANDHBARI
P.S.-MUKALMUA
DIST-NALBARI
ASSAM
PIN CODE 781126

6: ELIJA BEGUM @ MISS ELIJA BEGUM
D/O LATE AKABBAR ALI
R/O NO. 2 KANDHBARI
P.O.-KANDHBARI
P.S.-MUKALMUA
DIST-NALBARI
ASSAM
PIN CODE 78112

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. B HUSSAIN

Advocate for the Respondent : PP, ASSAM

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

ORDER

Date : 02-07-2024

Heard Mr. A.K. Hussain, learned counsel for the petitioners and Mr. R.J. Baruah, learned Addl. PP, Assam.

By this application under Section 438 Cr.P.C., the petitioners, namely, **1. Md. Lalmamud Ali @ Lalmamud Ali, 2. Jeherul Islam @ Md. Jeherul islam 3. Haidar Ali @ Md. Haidar Ali @ Shohidul Islam, 4. Safar Ali @ Billal, 5. Jahiran Bibi @ Miss Jahiran Bibi & 6. Elija Begum @ Miss Elija Begum** have prayed for pre arrest bail

apprehending arrest in connection with ***Mukalmua PS Case No.136/2024*** under section ***120B/302 IPC***.

Case diary is received. Same is perused.

The material so far collected in the case diary indicates and suggests that the present petitioners had actively participated in the commission of the offence which resulted in the death of the victim.

Considering the matter in entirety, this court is of the view that there are sufficient incriminating materials against the present petitioners and accordingly, this Court is of the view that this is not a fit case for grant of privilege of pre arrest bail to the petitioners and accordingly the same stands rejected at this stage.

Accordingly, the instant petition stands dismissed.

Return the case diary.

JUDGE

Comparing Assistant