

GAHC010117942023



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

Case No. : AB/1972/2023

TAFIQUE AHMED
S/O DAROG ALI
R/O H/NO. 21
PATHARKUCHI ROAD,
P.S. BASISTHA
DIST. KAMRUP (M), ASSAM
PIN-781029

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. N DUBEY

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

11.01.2024

Heard Ms M Daimary, learned counsel for the petitioner, Tafique Ahmed.

2. The petitioner has filed this application under Section 438 CrPC, with prayer for pre-arrest bail, he is apprehending arrest in connection with Hajo PS Case No. 110/2023, under Sections 457/380 IPC.

3. Also heard Mr M P Goswami, learned Additional Public Prosecutor for the State of Assam

3. I have considered the submissions at the Bar with circumspection.

4. It is submitted at the Bar that the petitioner has appeared before the IO and his statement has been recorded. The petitioner is a Cancer patient and he is undergoing treatment in Dr B Borooah Cancer Institute, Regional Cancer Centre (RCC) (Annexure-5 of the petition).

5. The up-to-date Case Diary reveals that investigation has progressed to a considerable extent. The petitioner is accused of having committed theft from a storeroom.

6. It appears that custodial interrogation of the petitioner may not be required.

7. The petitioner has not violated any bail conditions. He has cooperated with the investigation. He has appeared before the IO and his statement has been recorded.

8. In view of my foregoing discussions, the interim bail order dated 05.06.2023, is hereby made absolute.

9. Anticipatory Bail Application stands disposed of.

10. Send back the Case Diary.

JUDGE

Comparing Assistant