

GAHC010120232024



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

Case No. : AB/1565/2024

FORIZ UDDIN LASKAR
S/O ALA UDDIN LASKAR, R/O VILL- SAIDPUR PART-IV, SILCHAR, CACHAR,
ASSAM-788013

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR M J QUADIR

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

03.07.2024

1. Heard Mr. M.J. Quadir, learned counsel for the petitioner. Also heard Mr. R.J. Baruah, the learned Additional Public Prosecutor, appearing for the State of Assam.
2. By this application under Section 438 of the Code of Criminal Procedure, 1973, the petitioner, namely, Foriz Uddin Laskar

is seeking pre-arrest bail in connection with Sonai Police Station Case No. 53/2024 under Section 306 of the Indian Penal Code, corresponding to G.R. Case No. 972/2024.

3. In the FIR it is alleged due to the threat given by the petitioner to the deceased of publishing private and intimate photos of the victim, the victim committed suicide by consuming poison.

4. Mr. R.J. Baruah, the learned Additional Public Prosecutor, has produced the case diary.

5. Perused the same.

6. Also perused the statement of the informant and other witnesses.

7. The aforesaid statement nowhere suggest any allegation against the petitioner that he had any affair with the victim or that the victim had disclosed as regards alleged threat before any of the witnesses as on date.

8. Therefore, considering the aforesaid materials, this Court is of the view that custodial interrogation of the petitioner may not be necessary.

9. Accordingly, in the interim, in the event of arrest of the petitioner above-named, in connection with the case aforementioned, he shall be released on bail on furnishing bail bond of Rs.25,000/- with a suitable surety of the like amount, to the satisfaction of arresting authority. The pre-arrest bail is granted on the following conditions:

- (i) The petitioner shall not leave the territorial jurisdiction of the aforesaid police station, without prior written permission from its Officer-In-Charge,
 - (ii) The petitioner shall not hamper with the investigation, or tamper with the evidence of the case,
 - (iii) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer,
 - (iv) The petitioner shall appear before the Officer-In-Charge, Sonai Police Station Case No. 53/2024 within 7(seven) days from today,
 - (v) The petitioner shall continue to appear before the Investigating Officer of the above mentioned case after every 10(ten) days from the date of first appearance till such time the attendance is dispensed with by the said investigating officer.
10. The case diary be returned back.
11. With the above observations, this Anticipatory Bail Application stands disposed of.

JUDGE

Comparing Assistant