

GAHC010123172024



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

Case No. : AB/1601/2024

ANOWAR HUSSAIN
S/O ABDUL MOTLEB, R/O MAKRIKHOLA, TANGAON PART-III, P.S.-
MANKACHAR, DIST-SOUTH SALMARA MANKACHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 22.07.2024

Heard Mr. A Ahmed, learned counsel for the petitioner. Also heard Mr. D.P.Goswami, learned Additional Public Prosecutor for the State.

This application under Section 438 of the Code of Criminal Procedure, 1973 has been filed by the petitioner, namely, **Anowar Hussain**, who is apprehending his arrest in connection with **Dhupdhara P.S. Case No. 09/2024** under section 120(B)/336/34 of the Indian Penal

Code, read with section 4/5 of the Explosive Substance Act, 1908

The Case diary, as called for, is placed before the Court.

It may be mentioned that by order, dated 21.06.2024, this Court granted the privilege of interim pre-arrest bail to the petitioner.

Mr. D.P.Goswami, learned Addl. Public Prosecutor, submits that the case diary shows that the petitioner appeared before the investigating officer and got his statements recorded under Section 161 Cr.P.C. as per the interim pre arrest bail granted earlier. There is no adverse report against the petitioner from the I.O.

Therefore, the interim pre-arrest bail granted vide order, dated 21.06.2024 is hereby made absolute, subject to the following conditions-

- (i) That the petitioner shall co-operate in investigation as and when required;
- (ii) That 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; and
- (iii) That the petitioner shall not hamper or tamper with the investigation in any manner.

Return the case diary.

This disposes of the anticipatory bail application.

JUDGE

Comparing Assistant