

GAHC010124272024



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

Case No. : AB/1609/2024

WASIM HUSSAIN @ WASIM RAJA AND 2 ORS.
S/O LATE HURMUJ ALI, R/O TENGAGURI, P.S.-LAHARIGHAT, DIST-
MORIGAON, ASSAM

2: ARIF HUSSAIN
S/O LATE HURMUJ ALI
R/O TENGAGURI
P.S.-LAHARIGHAT
DIST- MORIGAON
ASSAM

3: GULZAR HUSSAIN
S/O LATE HURMUJ ALI
R/O TENGAGURI
P.S.-LAHARIGHAT
DIST- MORIGAON
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S MUNIR

Advocate for the Respondent : PP, ASSAM

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

ORDER

Date : 02-07-2024

Heard Mr. S. Munir, the learned counsel for the petitioners. Also heard Mr. K. Baishya, learned Additional Public Prosecutor for the State of Assam.

By this application under Section 438 Cr.P.C., the petitioners, namely, **1. Wasim Hussain @ Wasim Raja, 2.Arif Hussain** and **3. Gulzar Hussain** are seeking pre-arrest bail in connection with **Laharighat** Police Station Case No.108/2024, under Sections 203/342/325/383/34 of IPC.

The Case diary was called for. The same is produced today and perused.

The case diary reflects that there are some scuffle between the parties and there are also some minor injuries inflicted. Though a suspicion has been raised by the informant that accused Arif might deal with drugs however nothing is available in the Case Diary.

Considering the matter in entirety more particularly the nature of allegations and materials available, the petitioners be granted privilege of anticipatory bail.

Having regard to the facts and circumstances of the case including the nature of the allegation, it is hereby provided that, in the event of arrest, the above named petitioners in connection with the

aforementioned case, they shall be allowed to go on pre-arrest bail on furnishing a bond of **Rs. 25,000/-** each with one local surety of like amount to the satisfaction of the arresting authority.

The pre-arrest bail is granted on the following conditions:

- (1) The petitioners shall appear before the Officer-in-Charge, Laharighat Police Station within 10 (ten) days from today to get his statements recorded,
- (2) The petitioners shall not hamper with the investigation, or tamper with the evidence of the case,
- (3) The petitioners 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.

Accordingly, the anticipatory bail stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant