

GAHC010135602024



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

Case No. : AB/1744/2024

SAHARAD ALI
SON OF LATE SOFUN ALI RESIDENT OF VILLAGE- NATUN DIHINA,
POLICE STATION- HAJO, DISTRICT- KAMRUP, ASSAM

2: HAJIRA BEGUM
WIFE OF SAHARAD ALI RESIDENT OF VILLAGE- NATUN DIHINA
POLICE STATION- HAJO
DISTRICT- KAMRUP
ASSAM

3: ANJU BEGUM
WIFE OF MANTAZ ALI RESIDENT OF BAROMBOI
UKHURA POLICE STATION- HAJO
DISTRICT- KAMRUP
ASSAM

4: ASHIA BEGUM
WIFE OF ABDUL LATIF AHMED RESIDENT OF VILLAGE- JAPIA
POLICE STATION- HAJO DISTRICT- KAMRUP
ASSAM.

5: ABDUL LATIF AHMED @ LATIF ALI
SON OF FAYEJ ALI
RESIDENT OF VILLAGE- JAPIA
POLICE STATION- HAJO DISTRICT- KAMRUP
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR

Advocate for the Petitioner : MR. R KONWAR, MR D PEGU,MR H ALI,MR. U K BARMAN

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

13.08.2024

Heard Mr. U.K. Barman, the learned counsel appearing for the petitioners. Also heard Mr. K.K. Parasar, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 438 of the CrPC in respect of Hajo P.S. Case No.216/2024, registered under Sections 120(B)/498(A)/109/302 of the Indian Penal Code.

3. The husband caused death to his wife by beating her with iron rods. The husband has already been arrested by police. The present petitioners are his parents, sister and brother-in-law etc.

4. The case diary does not have sufficient incriminating materials against the petitioners. Therefore, they do not deserve to be detained in custody. Their pre-arrest bail application is allowed.

5. It is hereby directed that in the event of arrest in connection with Hajo P.S. Case No.216/2024, registered under Sections 120(B)/498(A)/109/302 of the Indian Penal Code, the petitioners, namely- (1) Saharad Ali, (2) Hajira Begum, (3) Anju Begum, (4) Ashia Begum and

(5) Abdul Latif Ahmed @ Latif Ali shall be released on bail of ₹20,000/- each with sureties of like amount to the satisfaction of the arresting authority.

6. The above-named petitioners shall co-operate with police investigation as and when required.

The application for bail is disposed of accordingly.

Case diary shall be returned.

JUDGE

Comparing Assistant