

GAHC010137292024



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

Case No. : AB/1765/2024

KABIR AHMED
S/O ABDUL HASIM,
VILL.- RATABARI, P.O.- RATABARI, P.S.- RATABARI, DIST.- KARIMGANJ,
ASSAM.

VERSUS

THE STATE OF ASSAM
THROUGH THE P.P., ASSAM.

Advocate for the Petitioner : MR Z KAMAR, MR. A B T HAQUE

Advocate for the Respondent : PP, ASSAM, MS S MOCHAHARI, MR. S DUTTA, MR S
DUTTA, MR S DUTTA

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

19.08.2024

Heard Mr. Z. Kamar, the learned senior counsel assisted by Mr. ABT

Haque, learned counsel appearing for the petitioner. Also heard Mr. D. Das, the learned Addl. Public Prosecutor, Assam. Mr. S. Dutta, learned counsel appears for the informant.

2. This is an application under Section 482 of the BNSS, 2023 praying for pre-arrest bail in respect of Karimganj P.S. Case No.434/2024, under Sections 409/420/468/471 of the Indian Penal Code.

3. The present petitioner was the Principal of Karimganj Law College. The informant is the Treasurer of the said college. It has been alleged in the FIR that the petitioner without coming to the college, received his salaries from June, 2015 to June, 2019. In this way, he allegedly received a huge amount of money.

4. There are some other allegations also that the petitioner had collected donations from students from 2019 to 2023 and thereby collected huge amount of money and has not deposited the same in the college fund.

5. Mr. Dutta has objected to the anticipatory bail application.

6. I have considered the submissions made by the learned counsel of both sides.

7. Pursuant to the interim order granted by this Court, the petitioner Sri Kabir Ahmed has appeared before the Investigating Officer and has got his statement recorded.

8. This Court is of the opinion that the allegations brought against him, he does not deserve to be detained in custody. Therefore, his pre-arrest bail application is allowed .

9. The interim bail granted by this Court on 11.07.2024 is made absolute.

The application for bail is disposed of accordingly.

Case diary shall be returned.

JUDGE

Comparing Assistant