

GAHC010140742024



2024:GAU-AS:11810

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

Case No. : AB/1810/2024

MD. ZIAUL ALI
S/O HAZARAT ALI, R/O KADAM TELGA BASTI, P.O.-KADAM, P.S.-
BAGINADI, DIST-LAKHIMPUR, ASSAM-787030

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. B D KONWAR SR. ADV., MR. B HUSSAIN, MR H
AGARWAL, MR. R KALITA, MRS J M KONWAR

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 28.11.2024

Heard Ms. M. Zomuanpuii, learned counsel for the petitioner. Also heard Ms. N. Das, learned Additional Public Prosecutor for the State.

2. This application under Section 482 of the BNSS, 2023 has been filed by the petitioner, namely, Md. Ziaul Ali, who is apprehending his arrest in connection

with North Lakhimpur P.S. Case No. 180/2024 (G.R. Case No. 469 of 2024) under Section 457/380 of the IPC, 1860.

3. It is submitted by the learned counsel for the petitioner that the present petitioner is innocent and he is no way connected in the alleged offence as stated in the FIR. It is contended by the petitioner that the police entered his house with the mobile thief, mistakenly believing the present petitioner to be his step-brother. Additionally, the petitioner is a News Reporter of Pratham Khabar, Assam. The learned counsel for the petitioner further submits that the petitioner is not the accused named in the FIR and has filed a counter FIR, although he could not produce a copy of it. He filed the present anticipatory bail application, as there is an apprehension of arrest in connection with this case. He is still ready and willing to co-operate with the I.O. in the further investigation of the case if he is granted bail.

4. I have considered the submissions at the bar with circumspection. I have also scrutinised the case diary. The petitioner has appeared before the Investigating Officer and his statement has been recorded and he has co-operated with the investigation. The petitioner has not violated any bail conditions.

5. Considering all aspects, the interim order dated 18.07.2024 is hereby made absolute under the same terms and conditions.

6. Send back the case diary.

JUDGE

Comparing Assistant