

GAHC010145722024



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

Case No. : AB/1904/2024

SAHJAMAL HAQUE
S/O MD. FARMAN ALI
PERMANENT RESIDENT OF VILL- MAHARI GAON, P.S. BAGHBAR
DIST. BARPETA, ASSAM

VERSUS

THE UNION OF INDIA
REP BY SC, NF RAILWAY

Advocate for the Petitioner : MR S ISLAM, MR. R ISLAM

Advocate for the Respondent : DY.S.G.I., MR. K K PARASAR

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 11.09. 2024

1. Heard Mr. S. Islam, learned counsel for the petitioner, Sahjamal Haque, who has filed this anticipatory bail application under Section 482 of BNS, 2023, with prayer for granting him pre-arrest bail in connection with RPF/ POST/ KYQ's Case No. 13/2024 under Section 3(a) of RP(UP) Act.

2. Also heard Mr. K.K. Parasar , learned Central Government Counsel (CGC), appearing for the Railways.
3. The case diary as called for is received and perused.
4. It is submitted by Mr. Islam, learned counsel for the petitioner that the petitioner is the owner of a shop and he has no knowledge about the availability of stolen scrap materials and he did not purchase any such stolen materials, as alleged in the FIR. He further submits that the petitioner is innocent and he is in no way connected in the alleged offence. The allegation made against him is false and concocted. However, the petitioner is ready and willing to co-operate with the investigation, if he is released on pre-arrest bail.
5. The learned Addl. P.P. has submitted that there are materials in the case diary. I have scrutinized the case diary. The petitioner has appeared before the Investigating Officer and has co-operated with the investigation.
6. The petitioner is willing to abide by any conditions imposed upon him. .
7. The petitioner is local resident and he is not a flight risk.
8. In view of the above discussions, interim order dated 24.07.2024 is hereby made absolute subject to the conditions that the petitioner shall refrain from

any such activities, which is alleged and he shall appear before the I.O. on every fortnight till completion of investigation and other conditions contained in the interim order itself.

9. The bail application is disposed of.

10. Send back the case diary.

JUDGE

Comparing Assistant