

GAHC010148102024



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

**Case No. : AB/1932/2024**

ILLIAS ALI @ ILIAS RAHMAN  
S/O TAIBOR ALI  
VILL- PIPULBARI PART-IV,  
P.O. MANULLAPARA  
DIST. SOUTH SALMARA MANKACHAR, ASSAM, PIN-783135

2: MD. SOLEMAN SK. @ SOLEMAN SK.  
S/O LATE ASHRAFUL SK.  
R/O VILL- PIPULBARI PART-IV  
P.O. MANULLAPARA  
DIST. SOUTH SALMARA MANKACHAR  
ASSAM  
PIN-783135

3: MD. SANOWAR HUSSAIN @ SANOWAR ALI  
S/O LATE SATTAR ALI  
R/OMANULLAPARA  
P.O. MANULLAPARA  
DIST. SOUTH SALMARA MANKACHAR  
ASSAM  
PIN-783135

4: AKHIRUL ISLAM  
S/O YUNUS ALI SARKAR  
R/O VILL- PIPULBARI -PART-IV  
  
P.O. MANULLAPARA  
DIST. SOUTH SALMARA MANKACHAR  
ASSAM  
PIN-783135

5: SULTAN AMIN  
S/O MAJID ALI  
R/O VILL- PUPULBARI

P.O. MANULLAPARA  
DIST. SOUTH SALMARA MANKACHAR  
ASSAM  
PIN-78313

VERSUS

THE STATE OF ASSAM AND ANR.  
REP. BY THE PP, ASSAM

**Advocate for the Petitioner** : MR. M ISLAM, MS A KHATUN

**Advocate for the Respondent** : PP, ASSAM,

**BEFORE**

**HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

**O R D E R**

**07.08.2024**

Heard Mr. M. Islam, learned counsel for the petitioners, namely, Illias Ali @ Ilias Rahman, Md. Soleman Sk @ Soleman Sk, Md. Sanowar Hussain @ @ Sanowar Ali, Akhirul Islam and Sultan Amin, who have filed this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for pre-arrest bail, as they are apprehending arrest in connection with Mankachar Police Station Case No.127/2024 (corresponding to G.R. Case No. 271/2024) under Sections 148/ 149/341/384/353/507 of the Indian Penal Code.

2. Heard Mr. R.R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State.

3. The FIR unfolds that on 29.05.2024 at about 9.45 P.M., the petitioners were members of a violent mob blocking the stone loaded trucks at Pipulbari Part-IV, Dhanua. A GD entry was registered and then, the informant along with the staff of the outpost rushed to the spot. The miscreants who were members of the mob obstructed the path and demanded money from the drivers of the trucks. Meanwhile, the OC of Mankachar P.S. along with the staff, I/C of Kharubandha OP along with the staff and DySP Anshul Sharma arrived at the spot and requested the mob to clear the road. Efforts were made by the policemen to disburse the mob but the mob turned violent and began pelting stones on the police team, deterring the police from discharging their duties. The situation escalated, posing a serious threat to the public safety and the well being of the police team, who had to intervene to apprehend two of the individuals involved in the mob.

4. The learned Addl. P.P. has raised serious objection stating that there are incriminating materials against the petitioners in the case diary.

5. I have perused the case diary. Indeed there are incriminating materials in the case diary against the petitioners. I have considered the magnitude of the offence. At this juncture, there appears to be no justified ground to extend the privilege of anticipatory bail to the petitioners.

6. Accordingly, this anticipatory bail application stands rejected at this stage. Send back the case diary.

**JUDGE**

**Comparing Assistant**