

GAHC010147102024



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

Case No. : Bail Appln./2165/2024

MIJANUR RAHMAN AND 4 ORS.
S/O LATE MAINUDDIN, R/O VILL- BARPALLY, P.S.-BARPETA, DIST-
BARPETA (ASSAM)

2: RAJAB ALI
S/O RAHIM UDDIN
R/O VILL- BARPALLY
P.S.-BARPETA
DIST- BARPETA (ASSAM)

3: SADDAM ALI
S/O LT. MAHURUDDIN
R/O VILL- BARPALLY
P.S.-BARPETA
DIST- BARPETA (ASSAM)

4: JULMAT ALI
S/O LT. MAHURUDDIN
R/O VILL- BARPALLY
P.S.-BARPETA
DIST- BARPETA (ASSAM)

5: ARIJUL HOQUE @ HARIJUL HOQUE
S/O ABDUL GAFUR
R/O VILL- BARPALLY
P.S.-BARPETA
DIST- BARPETA (ASSAM)

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. R ALI, MR. MUSTAFA HUSSAIN, MR H A AHMED

Advocate for the Respondent : PP, ASSAM,

Linked Case : Bail Appln./2203/2024

AYUB ALI @ AYUB KHAN
S/O RIKAT ALI @ RIKAT ALI KHAN
R/O VILL- BARPALLY
P.O.
P.S. AND DIST- BARPETA
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

Advocate for : MR H R A CHOUDHURY
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 16.08.2024

This is a common order for these two bail applications as both the bail applications have arisen out of the same police case.

2. Heard Mr. H.R.A. Choudhury, the learned Senior Counsel assisted by Mr. M.A. Choudhury appearing for the petitioners in Bail Appln. No. 2203/2024 and Mr. R. Ali, the learned counsel appearing for the petitioner in Bail Appln. No. 2165/2024. Also heard Mr.D. Das, the learned Additional P.P. for the State of

Assam.

3. Both the bail applications are filed under Section 483 of BNSS, 2023 praying for releasing the petitioners on bail, who were arrested in connection with Barpeta P. S. Case No. 214/2024.

4. Three persons, namely, Tayeb Ali, Ramejuddin and Nur Islam committed murder of Azimuddin. They were arrested by police.

5. During investigation, it was found that these petitioners, who are relatives of those three persons were having discussion, whereby they wanted to shift the buried body of Azimuddin to some other place.

6. The petitioners have completed already 79 days in judicial custody.

7. Considering the submissions made by the learned counsels of both sides and also considering the period of detention already undergone by the petitioners in custody, their bail applications are allowed.

8. Accordingly, the petitioners, namely, Mijanur Rahman, Rajab Ali, Saddam Ali, Julmat Ali, Arijul Hoque @ Harijul Hoque and Ayub Ali @ Ayub Khan shall be allowed to go on bail of Rs.25,000/- each with a surety of like amount to the satisfaction of the learned C.J.M., Barpeta.

9. Both the bail applications stand disposed of accordingly.

The CD (s) shall be returned.

JUDGE

Comparing Assistant