

GAHC010152222024



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

Case No. : I.A.(Crl.)/698/2024

MD MUJAKIR HUSSAIN
S/O MD JAKIR HUSAIN, R/O SULTAN ALI PATH, KATABARI, P.S.-GARCHUK,
DIST- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM,
REP BY THE PP ASSAM

Advocate for the Petitioner : MR ASHRAFUL ISLAM,

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 02.08.2024

Heard Mr. F.Haque, learned counsel for the petitioner as well as Mr. D.P.Goswami, learned Addl. P.P., Assam for the State respondent.

By filing this interlocutory application, the applicant/ petitioner namely, **Mujakir Hussain** has submitted the relevant documents as Voter Identity Card,

PAN Card and Aadhaar Card of the petitioner which could not be filed at the time of filing the connected Bail Application No. 2076/2024.

The learned counsel for the applicant/petitioner submits that father of the applicant had expired on 16.07.2024. In support of his submission, learned counsel has submitted one document of Secretary, Kabarsthan Committe from which, it reveals that the father of the applicant/ petitioner, namely, Md. Jakir Hussain died on 16.07.2024. The learned counsel for the applicant also submits that 'chalisa' of his father will be held on 27.08.2024 and to perform the religious rites of the applicant's father who is from Muslim Community, the applicant may be released on interim bail for 15 days.

On the other hand, learned Addl.P.P. submits that to perform the 'chalisa' of the applicant's father, the applicant may be allowed to be released on interim bail for one day.

Having heard the learned counsel for the parties and the grounds as stated by learned counsel for the applicant/ petitioner, the learned Additional Sessions Judge No. 5, Kamrup (M), Guwahati (where the case is pending) is directed to release the accused applicant/ petitioner namely, **Mujakir Hussain** to attend 'chalisa' in his house in connection with NDPS Case No. 179/2023 **with police protection on 27.08.2024 (Tuesday) from morning 8 am and to return to the jail in the evening on the same day i.e. on 27.08.2024.**

The interlocutory application stands disposed of.

JUDGE

Comparing Assistant