

GAHC010152262024



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

Case No. : AB/1974/2024

MD. AZIM UDDIN
S/O REJON ALI
R/OVILL- DIMATOLA
POYESTI, P.O. JORUARCHAR
P.S. FAKIRGANJ, DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A CHAUDHURY, MR. D BORA, MR. N MAHAJAN, MR. P K DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 21.08.2024

Heard Mr. B.K. Mahajan, the learned counsel appearing for the petitioner as well as Mr. D. Das, the learned Additional P.P. for the State of Assam.

2. This is an application u/s 482 of BNSS, 2023 praying for grant of pre-arrest bail in respect of Hatigaon P.S. Case No. 158/2024.

3. Late Sayed Ali owned a garage at Guwahati. Ruhul Amin was his worker. They lived in two adjacent rooms. On 12.07.2024, Rubul Amin came to his room alongwith his two friends

and all of them stayed together that night in the same room. Next morning the room of Sayed Ali was found opened and it was discovered that Sayed Ali was lying dead inside the room.

4. The informant, who is the relative of deceased Sayed Ali, has alleged in the FIR that Sayed Ali had two wives and he suspected that the 2nd wife might have engaged some people to kill Sayed Ali.

5. Subsequently, the present petitioner alongwith the father of Ruhul Amin took Ruhul Amin to the police station where Ruhul Amin had confessed to the police that he along with three other persons had murdered Sayed Ali and took away a cash amount of Rs. 92,000/- and a mobile phone.

6. Today, the case diary has been produced. I have gone through the same.

7. Mr. Parasar has objected to the prayer for bail.

8. There are no sufficient materials to connect the petitioner with the aforesaid incident.

9. Therefore, this Court is of the opinion that the petitioner does not deserve to be detained in custody.

10. The prayer of pre-arrest bail is allowed.

11. It is hereby directed that the petitioner, namely, Azim Uddin shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the arresting authority.

12. The petitioner shall appear before the Investigating Officer within next 10 (ten) days from today. He shall co-operate with the Investigating Officer.

The bail application stands disposed of accordingly.

The CD shall be returned.

JUDGE

Comparing Assistant