

GAHC010152392024



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

Case No. : AB/2010/2024

MD. MIR HUSSAIN @ MIR HUSSAIN ALI
S/O MOHD. GIYAS ALI
VILL- LOCH
P.O. LOCH
P.S. KAMALPUR
DIST. KAMRUP (R), ASSAM
PIN- 781381

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M HUSSAIN, MR M KHAN,MR. R I MONDAL

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 19-08-2024

Heard learned counsel Mr. M. Hussain for the petitioner Md. Mir Hussain @ Mir Hussain Ali, who has filed this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for pre-arrest bail as he is

apprehending arrest in connection with Hatigaon Police Station Case No. 119/2024 under Sections 420/406 of the Indian Penal Code, 1860.

2. The allegation against the petitioner is that he has inducted the informant to pay an amount of Rs.2,85,000/- (Rupees Two Lacs Eighty Five Thousand) to provide a new car but the petitioner has failed to provide any car or to repay the money taken from the informant.

3. Heard Mr. R.R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State. Learned Additional Public Prosecutor has raised objection stating that there are incriminating materials in the Case Diary against the petitioner.

4. I have considered the submissions at the bar with circumspection. I have also scrutinized the Case Diary. There are incriminating materials against the petitioner. At this juncture there appears to be no justified ground to extend the privilege of anticipatory bail to the petitioner.

5. Petition stands rejected at this stage.

6. In terms of the above observations, this Anticipatory Bail application stands disposed of.

7. Send back the Case Diary.

JUDGE

Comparing Assistant