

GAHC010160732024



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

Case No. : AB/2100/2024

INJAMUL HOQUE
S/O LATE MOJIB ALI,
RESIDENT OF MURARA, WARD NO. 3, PO AND PS RANGIA, DIST KAMRUP
ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR S H SIKDAR, MR. S HAQUE, MD IMRAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 12.08.2024

Heard Mr. H. R. A. Choudhury, learned Senior Counsel assisted by Mr. S. H. Sikdar, learned counsel for the petitioner. Also heard Mr. D. Das, learned Additional Public Prosecutor for the State of Assam.

2. This is an application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023, praying for anticipatory bail in connection with Rangiya P.S. Case No. 209/2024.

- 3.** One Sahista Taskin, the sister-in-law of the present petitioner lodged an FIR before Police alleging that on 29.07.2024, the petitioner and his family members have gone to their house. They caused damage to household properties and also assaulted Mijanur Rahman, the father of the informant.
- 4.** Mr. Choudhury has submitted that the present petitioner is a LL.B student, whereas his wife Jemima Yeasmin, the daughter of the aforementioned Mijanur Rahman is a HSLC student. They married on 14.03.2023.
- 5.** Mr. Choudhury has submitted that the petitioner being the husband of the said lady had gone to her house on her invitation and they had some incidents. For that matter, the petitioner had filed an FIR before the Police. The case has been registered by Police.
- 6.** Mr. Das submits that for consideration of the bail prayer, Case Diary will be required.
- 7.** After considering the submissions made by the learned counsel of both the sides, this Court is of the opinion that this is a dispute between the husband and wife. Therefore, the Case Diary is not required.
- 8.** The petitioner Injamul Haque does not deserve to be detained in custody for this offence. His pre-arrest bail is allowed.
- 9.** It is hereby directed that in connection with Rangiya P.S. Case No. 209/2024, the petitioner Injamul Hoque shall be released on bail of Rs.25,000/- with one surety of like amount with the satisfaction of the arresting Authority.
- 10.** The petitioner shall co-operate with the Investigating Officer, as and when required.
- 11.** With the aforesaid direction, the application for bail is disposed of.

JUDGE

Comparing Assistant