GAHC010167462024

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

Case No. : AB/2213/2024

ASADUL HAQUE @ ASADUL ALI
S/O AHMED ALI
R/O BALITIKA
P.O./P.S. LALUK
DIST. LAKHIMPUR, ASSAM,
PIN-787031

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR J PAYENG, MS A PAYENG,MS. SUSMITA DOLEY

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 03-10-2024

Heard Mr. J. Payeng, learned counsel for the petitioner Asadul Haque @ Asadul Ali, who has filed this application under Section 438 Cr.P.C, 1973 read with Section 482 BNSS, 2023 with prayer for pre-arrest bail as he is

apprehending arrest in connection with North Lakhimpur P.S. Case No.161/2024 under Sections 120 (B)/406/420/489(b)/489(c) of IPC.

2. Heard Mr. M.P. Goswami, learned Additional Public Prosecutor, Assam for the respondent State.

3. I have considered the submissions at the Bar. The allegation against the petitioner is that he is involved in dealing with fake gold as well as fake Indian currency.

4. Learned counsel for the petitioner has submitted that the seizure list clearly reveals that the seized fake Indian currency as well as one motor cycle was seized from the possession of Rejanur Rahman. The petitioner is not involved in this case. False allegation has been brought up against the petitioner.

5. Learned Additional Public Prosecutor has raised serious objection stating that there are incriminating materials against the petitioner in the case diary.

6. I have scrutinized the case diary. There are incriminating materials against the petitioner in the case diary.

7. At this juncture there appears to be no justified grounds to extend the benefit of pre-arrest bail to the petitioner.

8. Anticipatory Bail application stands rejected.

9. Send back the case diary.

JUDGE

Comparing Assistant