

GAHC010167512024



2024:GAU-AS:12537

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

Case No. : AB/2181/2024

NUMAN AHMED
S/O INTAZUR RAHMAN
R/O HILCHAR, P.O. SRIGOURI
DIST.KARIMGANJ, ASSAM
PIN CODE- 788806

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR. R MAJUMDAR, MS. J GHOSH, MR. JUNM LASKAR

Advocate for the Respondent : PP, ASSAM,

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

11/12/2024

Heard Mr. J U N M Laskar, learned counsel for the petitioner and Mr. K K Parashar, learned Additional Public Prosecutor, Assam for the State.

2. The petitioner, namely, **Numan Ahmed**, son of Intazur Rahman, resident of Hilchar, P.O. Srigouri, District-Karimganj, has filed this application under Section 482 BNSS, seeking pre-arrest bail apprehending his arrest in **Chandmari P.S. Case No. 111/2024** registered under Sections

120(B)/406/420/34 IPC corresponding to G.R. No. 2497/2024.

3. The Court by order dated 21.08.2024 granted interim pre-arrest bail to the petitioner in said Chandmari P.S. Case No. 111/2024.
4. Perused the case diary placed before the Court by Mr. Parashar, learned Additional Public Prosecutor, Assam.
5. Mr. Parashar, learned Additional Public Prosecutor, Assam from the case diary submitted that after obtaining interim pre-arrest bail, the petitioner appeared before the concerned Investigating Officer and his statement has been recorded in said Chandmari P.S. Case No. 111/2024.
6. Matter relates to submission of fake documents and fraudulent work order in the name of the petitioner's firm, so as to obtain contract in the name of the petitioner's firm, i.e., M/s. A to Z Construction and Consultancy. Petitioner submitted such fake and forged documents with regard to construction of Jagannath Community and Skill Center under Karimganj Parliamentary Constituency.
7. Mr. Parashar, learned Additional Public Prosecutor, Assam from the case diary submitted that in the meanwhile, all such fake and forged documents of M/s. A to Z Construction and Consultancy have been seized and the petitioner has been barred from participating in the process of contract/tenders for six months and his tender for the concerned work was also cancelled.
8. Considering the materials available in the case diary, the Court is of the view that custodial detention of the petitioner, named above, is not warranted to investigate the said Chandmari P.S. Case No. 111/2024. As such, this pre-arrest bail application of the petitioner is accepted.
9. The petitioner, namely, **Numan Ahmed** is already on interim bail in said **Chandmari P.S. Case No. 111/2024** granted to him earlier by this Court on 21.08.2024 and the same is hereby made absolute, subject to the full compliance of the terms and conditions as specified in the said order dated 21.08.2024 and further, on compliance of the following conditions that the petitioner – **(i)** shall not leave the territorial jurisdiction of said Chandmari Police Station, without obtaining prior written permission from the concerned I/O of said Chandmari P.S. Case No. 111/2024; **(ii)** shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer and **(iii)** shall not involve himself in any kind of criminal activities directly or indirectly.

- 10.** Violation of any of the aforesaid terms and conditions as well as the terms and conditions as specified in the said order dated 21.08.2024, noted above, the pre-arrest bail granted to the petitioner in said Chandmari P.S. Case No. 111/2024 shall stand automatically vacated.
- 11.** Accordingly, this pre-arrest bail application stands allowed to the extent above.
- 12.** Return the case diary.

JUDGE

Comparing Assistant