

GAHC010171232024



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

Case No. : AB/2246/2024

MD SADULLA AHMED @ SADULLA ALI
S/O REHAN ALI, R/O MONGALDOI TOWN, WARD NO. 2, LENGARIPARA,
P.O./P.S.-MONGALDOI, DIST- DARRANG (ASSAM), PIN NO-784125

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : F K R AHMED, MRS. H THAKURIA
Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

13.09.2024

Heard Mr. F. K. R. Ahmed, learned counsel for the petitioner. Also heard Mr. D. P. Goswami, learned Additional Public Prosecutor appearing for the State respondent.

This is an application filed under **Section 482 of BNSS**, praying for pre-arrest bail by the petitioners, namely, **Md. Sadulla Ahmed @ Sadulla Ali**, in connection with **Mangaldoi PS Case No. 206/2024**, registered under **Sections 3/4/7 of Immoral Traffic (Prevention) Act**.

It is submitted by the learned counsel for the petitioner that the petitioner is the owner of the dwelling house rented to one Rashida Begum and the petitioner is no way connected with the alleged offence in carrying on brothel or prostitution in his house. It is also submitted that the petitioner is to reside half kilometer away from his rented house. As he is the owner of the house, he is apprehending arrest in connection with this case. Considering the background of the case, benefit of pre-arrest bail may be granted to the petitioner.

On the other hand, Mr. D. P. Goswami, learned Additional Public Prosecutor has produced the case diary and submits that the petitioner is the owner of the house where the business of prostitution is going on which was rented to one Rashida. However, he submits that the petitioner be allowed to appear before the Investigating Officer for recording his statement.

I have considered the submissions made by the learned counsel for the parties. I have also perused the case diary.

Considering the facts as well as the materials available thereon, this Courts finds that custodial interrogation of the petitioner is not required for the purpose of investigation of the case. Therefore, he may be granted the privilege of pre-arrest bail.

Accordingly, it is provided that in the event of arrest, the petitioner, named above, shall be released on pre-arrest bail, in connection with the above noted case on furnishing bail bond of **Rs. 20,000/-** with **a suitable surety** of the like amount, to the satisfaction of the arresting authority.

The direction for pre-arrest bail is subject to the conditions that the petitioners:

(a) shall appear before the Investigating Police Officer within ten days from today and shall co-operate with the investigation;

(b) 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 him from disclosing such facts to the Court or to any police officer.

The anticipatory bail application stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant