

GAHC010175442024



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

Case No. : Bail Appln./2587/2024

ABZAL ALI AND ANR
S/O PABAN ALI, R/O MOKHONIA, P.S.-HAJO, DIST- KAMRUP, ASSAM

2: FAKARUDDIN AHMED
S/O PABAN ALI
R/O MOKHONIA
P.S.-HAJO
DIST- KAMRUP
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A PARAMANIK, P. KALITA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

16.09.2024

Heard Mr. A Paramanik, learned counsel for the petitioners as well as Mr. R J Baruah,
learned Additional Public Prosecutor, Assam.

This is an application filed under Section 483 of the BNSS, 2023 praying for grant of

regular bail in favour of the petitioners, namely, (1) Abzal Ali and (2) Fakaruddin Ahmed, who were arrested in connection with Hajo P.S. Case No. 224/2024.

On the day of occurrence, 51 year old Sirajulllah Ali had a quarrel with Paban Ali. At that time, two sons of Paban Ali were also arrived at the place of occurrence. All of them had given fist blows to Sirajuddin Ali. He died after that incident.

In the Case Diary, there are no materials against the petitioner no. 1 Abzal Ali. Case Diary further shows that Fakaruddin Ahmed gave fist blow upon the deceased.

After hearing the learned counsel of both sides and after considering the contents of the Case Diary, this Court is of the opinion that the petitioners do not deserve to be detained in custody for further period of time. Accordingly, the bail application is allowed.

Hence, it is directed that the petitioners namely, (1) Abzal Ali and (2) Fakaruddin Ahmed, who were arrested in connection with Hajo P.S. Case No. 224/2024, shall be released on bail of Rs.25,000/- each with one surety of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamup, Amingaon.

The bail application is disposed of.

Case diary shall be returned.

JUDGE

Comparing Assistant