

GAHC010176732024



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

Case No. : AB/2288/2024

LUTFUR RAHMAN AND ANR.
S/OLT. AMINUR RAHMAN
R/O VILL- 96 KOILAMARI
P.O. RANGAJAN BORBIL,
P.S. NORTH LAKHIMPUR
DIST.LAKHIMPUR, ASSAM
PIN- 787051

2: JIYABUR RAHMAN
S/OLT. AMINUR RAHMAN
R/O VILL- 96 KOILAMARI
P.O. RANGAJAN BORBIL

P.S. NORTH LAKHIMPUR
DIST.LAKHIMPUR
ASSAM
PIN- 78705

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MD. A HUSSAIN, MR. T ISLAM,MR. K ALOM

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

10.09.2024

1. Heard learned counsel Mr. Md. A. Hussain for the petitioners namely, (i) Lutfur Rahman, and (ii) Md. Jiyabur Rahman.
2. The petitioners have filed this application under Section 482 of the BNSS, 2023 with prayer for pre-arrest bail as they are apprehending arrest in connection with North Lakhimpur P. S. Case No. 196/2024 corresponding to GR Case No. 521/2024 under Sections 61(2)/306/112(1) of the BNS.
3. Heard Ms. N. Das, learned Additional Public Prosecutor, Assam for the respondent State.
4. I have considered the submissions at the Bar. I have also scrutinized the Case Diary.
5. The FIR unfolds that Anil Kumar Das was entrusted with the work to look after the godown of the complainant. Some goods were found missing from the godown of the complainant. On 20.07.2024, at about 8 p.m., the team had recovered several electronic goods and on receiving the information, the complainant came to the Police Station to identify the electronic goods. The complainant found that some stolen goods recovered by the Police team belonged to him.
6. The petitioners have filed this application as they are apprehending arrest in

connection with this case. It is submitted that there are no prima facie allegations in the FIR against the petitioners. It appears that pre-arrest bail may be granted to the petitioners.

7. Meanwhile, in the event of their arrest, the petitioners shall be enlarged on bail of Rs.30,000/- (Rupees Thirty Thousand) each with a suitable surety of like amount to the satisfaction of the arresting authority, under the condition that:

(i) The petitioner shall appear before the Investigating Officer within 1 (One) week and co-operate with the investigation.

On breach of any of the bail conditions, bail order shall automatically stand cancelled.

8. Send back the Case Diary.

JUDGE

Comparing Assistant