

GAHC010166662024



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

Case No. : Bail Appln./2480/2024

SAHAR ALI @ SOHOR ALI
S/O LT. ABDUL MANNAN @ MANNAN ALI, VILL- SUAPATA PT. IV, P.O.-
SUAPATA, P.S.-BILASIPARA, DIST- DHUBRI, ASSAM, PIN-783348

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MD H R AHMED, M BEGUM,MR J ISLAM

Advocate for the Respondent : PP, ASSAM,

Linked Case : AB/2121/2024

HAJARAT ALI SHEIKH @ HOJOROT ALI AND 9 ORS
S/O NAJESH ALI
R/O VILL- SUAPATA PT.IV

P.O. SUAPATA P.S. BILASIPARA
DIST. DHUBRI
ASSAM
PIN-783348

2: IBRAHIM ALI
S/O SAFER ALI
R/O VILL- SUAPATA PT.IV

P.O. SUAPATA P.S. BILASIPARA
DIST. DHUBRI

ASSAM
PIN-783348

3: ABUSHAMA ALI ALIAS ABU SHAMA
S/O SAFER ALI
R/O VILL- SUAPATA PT.IV

P.O. SUAPATA P.S. BILASIPARA
DIST. DHUBRI
ASSAM
PIN-783348

4: NUR SALAM ALI ALIAS NUR SALAM
S/O LT. ABDUL MANNAN @ MANNAN ALI
R/O VILL- SUAPATA PT.IV

P.O. SUAPATA P.S. BILASIPARA
DIST. DHUBRI
ASSAM
PIN-783348

5: NASER ALI @ NOSER ALI
S/O LT. ABDUL MANNAN @ MANNAN ALI
R/O VILL- SUAPATA PT.IV

P.O. SUAPATA P.S. BILASIPARA
DIST. DHUBRI
ASSAM
PIN-783348

6: JAHAN UDDIN
S/O LT. ABDUL MANNAN @ MANNAN ALI
R/O VILL- SUAPATA PT.IV

P.O. SUAPATA P.S. BILASIPARA
DIST. DHUBRI
ASSAM
PIN-783348

7: JAKIR HUSSAIN
S/O SAHAR ALI
R/O VILL- SUAPATA PT.IV

P.O. SUAPATA P.S. BILASIPARA
DIST. DHUBRI
ASSAM
PIN-783348

8: ASHIDUL ISLAM ALIAS RASHIDUL
S/O JAHAN UDDIN
R/O VILL- SUAPATA PT.IV

P.O. SUAPATA P.S. BILASIPARA
DIST. DHUBRI
ASSAM
PIN-783348

9: NAJESH ALI ALIAS NOJESH ALI
S/OLT. ABDUL MANNAN @ MANNAN ALI
R/O VILL- SUAPATA PT.IV

P.O. SUAPATA P.S. BILASIPARA
DIST. DHUBRI
ASSAM
PIN-783348

10: SAKINA BIBI
W/O NAJESH ALI
R/O VILL- SUAPATA PT.IV

P.O. SUAPATA P.S. BILASIPARA
DIST. DHUBRI
ASSAM
PIN-783348
VERSUS

THE STATE OF ASSAM
REP BY THE PP
ASSAM

Advocate for : MD H R AHMED
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

Linked Case : Bail Appln./2676/2024

NOSER ALI AND ANR
S/O LATE ABDUL MANNAN @ MANNAN ALI

RESIDENT OF SAUPATA PT IV (SHEKHAPARA) PO SUAPATA PS BILASIPARA
DIST DHUBRI
ASSAM 783348

2: IBRAHIM ALI
S/O SOFER ALI

RESIDENT OF SAUPATA PT IV (SHEKHAPARA) PO SUAPATA PS BILASIPARA
DIST DHUBRI
ASSAM 783348
VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for : MD H R AHMED
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 16.09.2024

Heard Mr. T.J. Mahanta, learned Senior Counsel assisted by Mr. H.R. Ahmed appearing for the petitioners. Also heard Mr. K.K. Parasar, learned Additional Public Prosecutor for the State of Assam as well as Mr. S.K. M. Alomgir, learned counsel appearing for the informant.

2. This is a common order for all the three bail applications filed under Section 482 & 483 of the BNSS, 2023 seeking pre-arrest bail, regular bail in respect of Bilasipara P.S. Case No. 180/2024.

3. All the petitioners are relatives of a person called Fazar Ali. He was in love with a girl. It is alleged in the FIR, that on the day of occurrence, Fazar Ali had entered into the house of the girl and forcefully took her away and thereafter, committed rape upon her.

4. It is further alleged that on the next day, Fazar Ali had killed the girl by throttling her neck with a piece of cloth.

5. After his arrest, Fazar Ali confessed before police that he had killed the girl. There is a witness examined by police, who stated that at the relevant time of occurrence something was going on inside the house of Fazar Ali, but she was not allowed to enter into the house of Fazar Ali.

6. It may be stated that the petitioners, Najesh Ali @ Nojesh Ali and Sakina Bibi was

earlier granted interim bail and pursuant to the interim bail order, Najesh Ali has appeared before the police and co-operated with the investigation. But the petitioner Sakina Bibi is yet to appear.

7. Apart from the aforesaid facts, the case diary does not have sufficient materials to implicate the present petitioners with the murder of the victim girl.

8. Therefore, the pre-arrest bail prayer of Hajarat Ali Sheikh @ Hojorot Ali, Abushama Ali @ Abu Shama, Nur Salam Ali @ Nur Salam, Jahan Uddin, Jakir Hussain, Ashidul Islam @ Rashidul is allowed. i

9. It is hereby directed that in the event of arrest in connection with Bilasipara P.S. Case No. 180/2024, the petitioners, Hajarat Ali Sheikh @ Hojorot Ali, Abushama Ali @ Abu Shama, Nur Salam Ali @ Nur Salam, Jahan Uddin, Jakir Hussain, Ashidul Islam @ Rashidul shall be released on bail of Rs. 20,000/- each with a surety of like amount to the satisfaction of the arresting authority.

10. The interim bail granted in favour of the petitioners, Najesh Ali @ Nojesh Ali and Sakina Bibi on 14.08.2024 is hereby made absolute.

11. The petitioners, Sahar Ali @ Sohor Ali, Noser Ali and Ibrahim Ali are allowed to go on bail of Rs. 25,000/- each with a surety of like amount to the satisfaction of the learned SDJM, Bilasipara,

With the aforesaid direction, all the three bail applications are disposed of.

The CD (s) shall be returned.

JUDGE

Comparing Assistant