

GAHC010190982023



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

Case No. : AB/2989/2023

ABDUL HAKIM @ ABDUL HAKIM AHMED AND 10 ORS
S/O LATE SUFI UDDIN
VILL- TUPKARCHAR, P.S. MERERCHAR, P.O. TOPGAON, DIST.
BONGAIGAON, ASSAM, PIN-783384

2: MAFIZUDDIN AHMED
S/O LATE SUFI UDDIN
VILL- TUPKARCHAR
P.S. MERERCHAR
P.O. TOPGAON
DIST. BONGAIGAON
ASSAM
PIN-783384

3: ANUWARA KHATUN
D/O AHMMOD ALI
VILL-TOPGAON
PS. MERERCHAR
P.O. TOPGAON

DIST. BONGAIGAON
ASSAM
PIN-783384

4: AJAHARUL ISLAM
S/O AHAMMOD ALI
VILL- TOPGAON
P.O. TOPGAON

P.S. MERERCHAR

DIST. BONGAIGAON

5: SULTAN MAMUD

S/O SAHEB ALI
VILL- HALDIBARI
PART-2
P.S. MERERCHAR
P.O. KIRTANPARA

DIST. BONGAIGAON
ASSAM
PIN-783384

6: ANISUR RAHMAN
S/O SEJAB ALI
VILL- HALDIABARI

PART-2

P.O. KIRTANPARA

P.S. MERERCHAR
DST. BONGAIGAON
ASSAM

7: MOSTAFIZUR RAHMAN
S/O MOZIBUR RAHMAN
VILL- TOPGAON
P.O. TOPGAON
P.S. MERERCHAR
DST. BONGAIGAON
ASSAM
PIN-783384

8: NAZRUL ISLAM
S/O BABAR ALI
VILL- KACHARIPETY
PART-3

P.O. AMBARI
P.S. ABHAYAPURI
DST. BONGAIGAON
ASSAM

9: NAKUMUDDIN
S/O NAYAN UDDIN
VILL- TOPGAON
P.O. TOPGAON
P.S. MERERCHAR
DST. BONGAIGAON
ASSAM

10: MARIYAM KHATUN
W/O NAKUM UDDIN
VILL- TOPGAON
P.O. TOPGAON
P.S. MERERCHAR
DST. BONGAIGAON
ASSAM

11: SOFIQUL ISLAM
S/O ABDUL BASER
VILL- KACHARIPETY
PART-3
P.O. AMBARI
P.S. ABHAYAPURI
DIST. BONGAIGAON
ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. J AHMED

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA
ORDER**

19.02.2024

Heard Mr. J. Ahmed, learned counsel for the petitioners. Also heard Mr. D. Das, learned Additional Public Prosecutor for the State respondent.

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the accused/petitioners, who are apprehending arrest in connection with Mererchar P. S. Case No.54/2023 under Sections 143/341/294/384/307/323/506 of the Indian Penal Code.

Mr. Das, learned Additional Public Prosecutor, submits that though the case was listed today for production of the Case Diary before this Court, but the I.O. has already filed Charge-Sheet in this case, vide Charge-Sheet No. 53/2023, dated 31.08.2023.

In this context, Mr. Ahmed, learned counsel for the petitioners, submits that the present petitioners are already on interim pre-arrest bail and hence his interim protection may be extended so that he can appear before the learned Trial Court seeking regular bail.

Considering the submissions of learned counsels for both sides and also considering the fact that the case has already been Charge-Sheet, vide Charge-Sheet No. 53/2023, dated 31.08.2023, it is provided that the petitioners shall appear before the learned Court below within 15 (fifteen) days from today and on their appearance and on their filing a petition for grant of regular bail, the learned Court below shall

consider the same in accordance with law.

Till then, it is provided that the interim pre-arrest bail, granted to the accused/petitioners by this Court vide order dated 30.08.2023, shall remain extended for another 15 (fifteen) days from today, enabling the petitioners to appear before the learned Court below for filing fresh application for regular bail.

In terms of above, this anticipatory bail application stands disposed of.

JUDGE

Comparing Assistant