

GAHC010203452024



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

Case No. : AB/2622/2024

FAIJUDDIN AHMED AND MON AND ANR
S/O LT MAFIJUDDIN AHMED
R/O VILL- FUTURI, ROWMARI,
P.S. CHAYGAO, P.O. FUTURI, DIST. KAMRUP, ASSAM, PIN-781122

2: MAINODDIN AHMED
S/O LT MAFIJUDDIN AHMED
R/O VILL- FUTURI
ROWMARI

P.S. CHAYGAO
P.O. FUTURI
DIST. KAMRUP
ASSAM
PIN-78112

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR T H HAZARIKA, MR. D ROY,MR A RASHID

Advocate for the Respondent : PP, ASSAM,

BEFORE

HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

11.11.2024

1. Heard Mr. T.H. Hazarika, learned counsel for the petitioners. Also heard Mr. R.R. Kaushik, learned Additional Public Prosecutor appearing for the State of Assam, who has produced the case diary of Palashbari P.S. Case No. 350/2024.

2. The learned counsel for the petitioners has submitted that the petitioner No. 1 was having love affair with the victim-girl and by order dated 03.10.2024, both the petitioners were granted interim bail by this Court with certain conditions.

3. It is submitted by the learned counsel for the petitioners that in pursuant to the directions of this Court, both the petitioners have appeared before the Investigating Officer and have co-operated in the investigation.

4. On the other hand, learned Additional Public Prosecutor has also submitted that from the statement of the victim-girl recorded under Section 183 of the BNSS, it appears that the relationship between the victim and the petitioner No. 1 was consensual in nature. He also submits that both the petitioners have appeared before the Investigating Officer and their statements have also been recorded by the Investigating Officer.

5. In view of the fact that the petitioner have complied with the directions of this Court and have co-operated in the investigation, the

interim anticipatory bail granted to both the above-named petitioners, by order dated 03.10.2024 is hereby made absolute, with following conditions:-

- (i) the petitioners shall co-operate in the investigation; and
- (ii) the petitioners shall not directly or indirectly make any inducement, threat or promise to the informant or to any other persons who may be acquainted with the facts of the case so as to dissuade such person from disclosing such facts before the Investigating Officer or to any Court.

6. With this observations and directions, this anticipatory bail application is hereby disposed of.

JUDGE

Comparing Assistant