

GAHC010208892024



2024:GAU-AS:12720

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

Case No. : AB/2769/2024

TAHIR AHMED
S/O LATE TAJUDDIN AHMED, R/O KHOOMTAI CHAKALIA, P.S.-
MORANHAT, DIST- CHARAIDEO, ASSAM, PIN-785670

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S Z SHEIKH, P J DAS

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

27.11.2024

1. Heard Mr. S. Z. Sheikh, learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor for the State of Assam.
2. The petitioner, namely, **Tahir Ahmed**, has approached this Court for the second time praying for grant of pre arrest bail who is apprehending arrest in connection with Hatigaon P.S. Case No. 53/2024 under Section 406/420/468/34

of IPC.

3. This Court after perusal of the case diary rejected such prayer of the petitioner for grant of pre arrest bail under its order dated 28.05.2024 passed in AB/1182/2024, after finding that sufficient incriminating materials are available against the petitioner in the case diary.
4. Under its order dated 06.11.2024, this Court had again called for the case dairy. Accordingly, the case diary has been produced by the learned Additional Public Prosecutor today.
5. This Court has once again gone through the case diary. The materials so far collected are suggestive of the fact that one Abdullah Ahmed and Monish Chetry are the main kingpin and the petitioner is assisting the two accused in commission of the offence.
6. This Court has also considered the stage of investigation, which also suggests that the custodial interrogation of the petitioner may be necessary.
7. Yet another aspect of the matter is that this Court has not found any new grounds, which were not available when the bail was rejected by this Court under its order dated 28.05.2024 passed in AB/1182/2024.
8. That being the position, the prayer of bail for the petitioner stand rejected. However, while parting with the record, it is made clear that the observations made in this order is for the purpose of consideration of the prayer of bail only and same should not be treated as affirmation of merit of the prosecution case.
9. With the aforesaid determination and observations, this bail application stands dismissed.
10. Case diary be returned back to the learned Additional Public Prosecutor.

JUDGE

Comparing Assistant