

GAHC010212852024



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

Case No. : AB/2712/2024

MD NASIR UDDIN
S/O SOFIR UDDIN,
R/O MOGHULI, P.S. LAKHIMPUR (SADAR)
DIST. LAKHIMPUR, ASSAM
PIN-787052

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. A A R KARIM, MR S RAHMAN, Ms. R. R. BORAH
Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

04-10-2024

Heard Ms. R. R. Borah, learned counsel for the petitioner and Mr. B. Sarma, learned Additional Public Prosecutor, Assam for the State.

2. Apprehending his arrest in connection with Bihpuria P.S. Case No. 121/2024, registered under Section 318(4)/316(2)/308(4)/3(5) of the BNS, 2023 corresponding to G.R. No. 575/2024, the petitioner, namely, **Md. Nasir Uddin** has filed this pre-arrest bail application under Section 482 of the BNSS, 2023

praying for his pre-arrest bail in said Bihpuria P.S. Case.

3. Along with two others, the petitioner is an FIR named accused, on the basis of an FIR lodged by the informant on 06.08.2024.

4. In said Bihpuria P.S. Case No. 121/2024 one of the FIR named accused, namely, Fakor Uddin was already arrested and in custody, whose bail application is fixed today.

5. Mr. B. Sarma, learned Addl. PP, Assam has placed the case diary pertaining to said Bihpuria P.S. Case No. 121/2024.

6. From the case diary of said Bihpuria P.S. Case No. 121/2024, it is seen that the petitioner is involved in cheating and extorting money from the informant of the case.

7. Case diary reveals sufficient incriminating materials against the petitioner, named above, with regard to his involvement in said Bihpuria P.S. Case No. 121/2024.

8. Considering the materials in the case diary and the involvement of the petitioner in the alleged crime, this Court is of the view that it is not a fit case to grant pre-arrest bail to petitioner in said Bihpuria P.S. Case No. 121/2024.

9. Accordingly, this pre-arrest bail application of the petitioner, above named, stands rejected.

10. Return the case diary.

JUDGE

Comparing Assistant