

GAHC010212952024



2024:GAU-AS:12852

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

Case No. : AB/2865/2024

MD TAHIDUL ISLAM @ TAHIDUR RAHMAN
S/O MD. GIYASUDDIN, VILL- PAVAKATI, P.S.-MAYONG, DIST- MORIGAON
(ASSAM)

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. N J DUTTA, F KHATUN, MR. S UDDIN, MR A ALAM, MR. A A MONDAL

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

17-12-2024

Heard Mr. N J Dutta, learned counsel for the petitioner. Also heard Mr. K K Parashar, learned Additional Public Prosecutor, Assam for the State.

2. By this application filed under section 482 BNSS, 2023, the petitioner, namely, **Md. Tahidul Islam @ Tahidur Rahman**, son of Md. Giasuddin, resident of village-Pavakati, P.S.-Mayong, District- Morigaon has prayed for his pre-arrest bail in **Mayong Police Station Case No. 72/2023** corresponding to G.R. No. 1023/2023 registered under Sections

379/411/418 of the IPC read with Section 23 of the Petroleum Act.

3. The Court by order dated 27.11.2024 granted interim bail to the petitioner, pursuant to which, he appeared before the concerned Investigating Officer of the case and his statement was accordingly recorded.

4. Mr. K K Parashar, learned APP, Assam from the case diary has submitted that petroleum was recovered from the house of the petitioner that was within the permissible limit, but not thinner, as been submitted before the Court by the learned counsel for the petitioner.

5. Considering such materials in the case diary, the Court is of the view that custodial detention of the petitioner is not warranted for investigation of said Mayong Police Station Case No. 72/2023. As such, this pre arrest bail application of the petitioner is accepted.

6. Accordingly, the interim pre-arrest bail granted to the petitioner on 27.11.2024 in said Mayong Police Station Case No. 72/2023, is hereby made absolute, subject to the compliance of the terms and conditions as specified in the said order dated 27.11.2024, noted above.

7. Any violation of the terms and conditions as specified in the order dated 27.11.2024, noted above, by the petitioner, namely, **Md. Tahidul Islam @ Tahidur Rahman**, son of Md. Giasuddin, the pre-arrest bail granted to him in the aforementioned Mayong Police Station Case No. 72/2023 shall stand automatically vacated.

8. This pre-arrest bail application accordingly stands disposed of.

9. Return the case diary herewith.

JUDGE

Comparing Assistant