

GAHC010257592024



2024:GAU-AS:12573

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

Case No. : AB/2734/2024

JOYBAR ALI AND 2 ORS.
S/O- A. SOBUR
R/O- VILL.- RAJABALA BHALUKKANDI
P.O. PATAKATA
P.S. SOUTH SALMARA
DIST. SOUTH SALMARA MANKACHAR
ASSAM
PIN- 783127.

2: ABDUL SOBUR
S/O- LATE RAHAM ALI
R/O- VILL.- RAJABALA BHALUKKANDI
P.O. PATAKATA
P.S. SOUTH SALMARA
DIST. SOUTH SALMARA MANKACHAR
ASSAM
PIN- 783127.

3: JABED ALI
S/O- A. SOBUR
R/O- VILL.- RAJABALA BHALUKKANDI
P.O. PATAKATA
P.S. SOUTH SALMARA
DIST. SOUTH SALMARA MANKACHAR
ASSAM
PIN- 783127.
VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P.
ASSAM

Advocate for : MR. M U MONDAL
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

ORDER

12.12.2024

Heard Mr. K. Islam, the learned counsel for the petitioners. Also heard Mr. K. K. Das, learned Additional Public Prosecutor for the State of Assam.

By this application under Section 482 of BNSS, 2023., the petitioners, namely, **(1) Joybar Ali, (2) Abdul Sobur and (3) Javed Ali** are seeking pre-arrest bail in connection with South Salmara Police Station Case No. 163/2024 registered under Section 126(2)/127(2)/117(2)/118(2)/109/3(5) of BNS.

During the pendency of this bail application, the petitioner No. 1, namely, Joybar Ali has already been arrested.

Case diary is received.

Perused the case diary. Also perused the statement of the victim.

The victim has specifically named Javed Ali and stated that this Javed Ali and Sobur Ali along with Sahjahan Ali confined him inside a room and beaten him up with lathi.

Also perused the medical report which suggests that the injuries are grievous in nature with fracture in leg.

Therefore, considering the material available on record, this Court is of the view that the petitioners have not been able to make out a case for grant of privilege of pre-arrest bail. Accordingly, the prayer for pre-arrest bail of the petitioners stand rejected.

Case diary be returned back to the learned Additional Public Prosecution.

JUDGE

Comparing Assistant