

GAHC010223922024



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

Case No. : AB/2867/2024

MD AJIBUR RAHMAN
S/O LATE AJGOR ALI, R/O DHUBANG KHAITI, P.S.-LAHORIGHAT, P.O.-
CHETWAKHAITEE, DIST- MORIGAON, ASSAM, PIN-782127

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. P K SARMA, MS M KAKOTY, MS R SAHIN, MS. B BHUYAN

Advocate for the Respondent : PP, ASSAM,

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

12.11.2024

1. Heard Ms. B Bhuyan, learned counsel for the petitioner. Also heard Mr. RR Kaushik, learned Additional Public Prosecutor, Assam.
2. This is an application under Section 482 of the BNSS, 2023 for granting pre-arrest bail to the petitioner, namely, Md. Ajibur Rahman in

connection with Lahorighat PS case No. 199/2024 under Section 76/132/3(5) of BNS, 2023.

3. Case diary as called for has been produced by the learned Additional Public Prosecutor, Assam. Perused the case diary in which it is alleged that the petitioner had resisted the police official for carrying out investigation and started abusing the police personnel using filthy language.

4. From the material so far collected including the statement of independent witnesses as well as considering the stage of investigation, nature and gravity of the material collected, this court is of the view that the custodial interrogation of the petitioner in the present case not necessary.

5. Accordingly, in the event of arrest of the petitioner above named, in connection with the case aforementioned, he shall be released on bail on furnishing bail bond of Rs.25,000/- with a suitable surety of the like amount, to the satisfaction of arresting authority. The pre-arrest bail is granted on the following conditions:

- I. The petitioner shall not leave the territorial jurisdiction of the aforesaid police station, without prior written permission from its officer-in-charge,
- II. The petitioner shall not hamper with the investigation, or tamper with the evidence of the case,
- III. The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the

facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer,

IV. The petitioner shall appear before the Officer-in-charge, Lahorighat PS within 10 (ten) days from today,

V. The petitioner shall continue to appear before the Investigating Officer of the above mentioned case after every 10(ten) days from the date of first appearance till such time the attendance is dispensed with by the said investigating officer.

6. Bail application stands disposed of. Send back the case diary.

JUDGE

Comparing Assistant