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

Case No. : AB/2856/2024

ATAUR RAHMAN AND 3 ORS
S/O- SULTAN MUNSI, R/O- LUTUMARI, PS-KAMPUR, DISTRICT - NAGAON
(ASSAM).

2: ALI AHMED @ AHMOD HUSSAIN
S/O- LATE HAJI FAIYAJ UDDIN @ LATE FAIYAJ ALI
R/O- METHI GAON
PS-MURAJHAR
DISTRICT -HOJAI (ASSAM).

3: FARUK UDDIN
S/O- MUHIBUR RAHMAN (BADAN)
R/O- SHAPUR GAON
PS -MURAJHAR
DISTRICT - HOJAI (ASSAM).

4: SAMS UDDIN @ BABU
S/O- SORMAN ALI
R/O-SHAPUR GAON
PS- MURAJHAR
DISTRICT - HOJAI (ASSAM)

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. D BHUYAN, MR. P GOGOI

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 13.12.2024

Heard Mr. D. Bhuyan, learned counsel appearing for the petitioners. Also heard Ms. N. Das, learned Additional Public Prosecutor for the state of Assam.

2. This an application 482 of the BNSS, 2023, whereby the petitioners have prayed for grant of pre-arrest bail in respect of Murajhar P.S. Case No. 191/2024.

3. It is alleged in the FIR that on 09.10.2024 some miscreants entered into Jamia Assam Darul Hadith Joynagar Madrassa and harmed and forcefully ousted the employees and teachers of the said Madrassa. The informant has alleged that he suspected that the teacher of said Madrassa, Moulana Ataur Rahman was behind the entire incident. It is stated that he went inside the Madrassa and created unruly situation.

4. Ms. Das submitted that the witnesses have implicated the petitioners, Ali Ahmed @ Ahmod Hussain & Faruk Uddin in the aforesaid case

5. I have considered the submissions made by the learned counsels of both sides.

6. This Court is of the opinion that under the given circumstances of the case, the petitioners do not deserve to be detained in custody. Accordingly, their anticipatory bail application is allowed.

7. It is hereby directed that in the event of arrest in connection with Murajhar P.S. Case No. 191/2024, the petitioners, Ataur Rahman, Ali Ahmed @ Ahmod Hussain, Faruk Uddin and Sams Uddin @ Babu shall be released on bail of Rs. 20,000/- each with sureties of like amount to the satisfaction of the arresting authority.

8. The petitioners shall appear before the Investigating Officer and co-operate with the Investigating Officer as and when required.

9. With the aforesaid direction, the bail application stands disposed of.
10. CD shall be returned.

JUDGE

Comparing Assistant