

GAHC010225652024



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

Case No. : AB/2862/2024

EKBAL AHMED @ IKBAL AHMED AND ANR
S/O LATE NURUL HASAN, R/O KABARSTHAN ROAD, JORHAT EAST, P.S.-
JORHAT, DIST-JORHAT, ASSAM, PIN-785001

2: IRSAD AHMED
S/O LATE NURUL HASAN
R/O KABARSTHAN ROAD
JORHAT EAST
P.S.-JORHAT
DIST-JORHAT
ASSAM
PIN-78500

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. D BARUAH, MR. P P BARUAH, MR. D GOSWAMI, MR. P K BORDOLOI

Advocate for the Respondent : PP, ASSAM, MR H MAZUMDER (INFORMANT)

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 06.12.2024

Heard Mr.P.P. Baruah, learned counsel appearing for the petitioners. Also heard

Mr. R.R. Kaushik, learned Additional Public Prosecutor appearing for the state of Assam and Mr. H. Mazumder, learned counsel appearing for the informant.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail to the petitioners, Ekbal Ahmed @ Ikbal Ahmed and 2. Irsad Ahmed in respect of Jorhat P.S. Case No. 445/2024.

3. The husband of the informant purchased a pair of shoes from Jorhat. Subsequently he went to Jorhat to exchange the shoes. On that issue, there was a quarrel between the husband and the informant.

4. It is alleged that the present petitioners, being the shopkeeper, assaulted the husband of the informant and caused grievous injuries to him.

5. Today, the state has produced the medical report, which shows that the husband of the informant sustained clinical simple injuries.

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

7. This Court is of the opinion that for the aforesaid incident as alleged in the FIR, the petitioners do not deserve to be detained in custody.

8. Therefore, the present arrest bail application of the petitioners is allowed.

9. It is hereby directed that in the event of arrest in connection with Jorhat P.S. Case No. 445/2024, the petitioners, Ekbal Ahmed @ Ikbal Ahmed and 2. Irsad Ahmed shall be released on bail of Rs. 20,000/- each with sureties of like amount to the satisfaction of the arresting authority.

10. Both the petitioners are directed to appear before the Investigating Officer as and when called for.

11. With the aforesaid direction, the bail application stands disposed of.

The CD shall be returned.

JUDGE

Comparing Assistant