

GAHC010232752024



2024:GAU-AS:11776

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

Case No. : AB/2882/2024

ATABAR RAHMAN @ ATAUR RAHMAN AND ANR
S/O LT. NAIB UDDIN
R/O VILL- BORGHULI
P.S.-DALGAON
DIST-DARRANG
ASSAM
PIN-

2: SAROWAR ALOM
S/O ABDUL KUDDUS
R/O VILL- BORGHULI
P.S.-DALGAON
DIST-DARRANG
ASSAM
PIN-
VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

Advocate for : MD. A HUSSAIN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

Date : 27-11-2024

Heard Mr. A. Hussain, learned counsel for the petitioner Nos. 1. Atabar Rahman @ Aatur Rahman and 2. Sarowar Alom, who have filed this application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for pre-arrest bail as they are apprehending arrest in connection with in connection with Dalgaon Police Station Case No. 205/2024 under Sections 142/310(2) of Bhartiya Nyaya Sanhita, 2024.

2. Heard Mr. R.R. Kaushik, learned Additional Public Prosecutor, Assam for respondent State, who has raised serious objection stating that there are incriminating materials in the Case Diary against the petitioner. The petitioner is complicit and the offence is of a grave nature.

3. The allegation against the petitioners is that they along with two others have forcefully picked up the informant in a vehicle from the Car Dealer and detained him in the house of Sarowar Alom and physically assaulted him with intent to eliminate him and cause grave injuries on his person and snatched away Rs.1,60,000/- (Rupees One and Lac Sixty Thousand) from him.

4. I have considered the submissions at the bar with circumspection. Indeed there are incriminating materials in the Case Diary against the petitioners. The merits of the case are not brought to the fore. There appears to be no justified ground to extend the privilege of anticipatory bail to the petitioners at this stage.

5. Petition stands rejected at this stage.

6. In terms of the above observation, this Anticipatory Bail Application stands disposed of.
7. Send back the Case Diary.

JUDGE

Comparing Assistant