

GAHC010234972024



2024:GAU-AS:11704

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

Case No. : AB/2872/2024

MD IMRAN HUSSAIN
S/O LT. HAZRAT ALI
R/O VILL- BAHALAR MUKH
P.O.-LUCHANA BORI
P.S.-LAHARIGHAT
DIST- MORIGAON
(ASSAM)
PIN-782126

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR
ASSAM

Advocate for : MR A A DEWAN
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

26-11-2024

Heard Mr. A. A. Dewan, learned counsel for the petitioner and Mr. B. Sarma, learned Additional Public Prosecutor, Assam for the State.

2) Apprehending his arrest, the petitioner, namely, **Md. Imran Hussain**, son of Late Hazrat Ali, resident of Village-Bahalar Mukh, Police Station-Laharighat, District-Morigaon has filed this application under Section 482 BNSS seeking pre-arrest bail in **Fatashil Ambari Police Station Case No. 252/2024** corresponding to G.R. No. 5596/2024, registered under Sections 318(4)/319(2)/316(2)/336(3)/304(2)/ 3(6) of BNS.

3) As per the FIR dated 09.08.2024 lodged by the Chief Manager, State Bank of India, Vinobanagar Branch, Kalapahar before the Officer-in-Charge of Fatashil Ambari Police Station, the case is that the present petitioner and some other applicants obtained loan from the SBI, Vinobanagar Branch, Kalapahar by submitting forged documents.

4) Accordingly, Fatashil Ambari Police Station Case No. 252/2024 under Sections 318(4)/319(2)/316(2)/336(3)/304(2) /3(6) of BNS, corresponding to G.R. No. 5596/2024 was registered against the present petitioner and 11 others.

5) Perused the case diary placed before the Court today by Mr. B. Sarma, learned Additional Public Prosecutor, Assam.

6) It is seen that the petitioner obtained certain forged documents from the arrested accused persons of the case, like I-Card, Salary Slip of Environment and Forest Department of the State and others, placed those forged document before the SBI, Vinobanagar Branch, Kalapahar and fraudulently obtained Rs.8,25,000/- as loan from the said branch of the SBI, manipulating the officials of the Bank concerned.

7) Though the petitioner submitted that he is regularly repaying the loan, but on enquiry the petitioner could not submit any document regarding regular payment of loan to the Bank duly issued by it before the Court.

8) Considering the materials in the case diary and the involvement of the petitioner in the alleged crime of obtaining loan from the SBI, Vinobanagar Branch, Kalapahar in fraudulent manner, the Court is of the view that it is not a fit case to grant pre-arrest bail to the petitioner, named above, in said Fatashil Ambari Police Station Case No. 252/2024.

9) Accordingly, this pre-arrest bail application of the petitioner, namely, **Md. Imran Hussain** in said Fatashil Ambari Police Station Case No. 252/2024 **stands rejected.**

10) Return the case diary.

JUDGE

Comparing Assistant