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

Case No. : AB/2896/2024

MD SAIFUL ISLAM @ HOQUE
S/O MD. SUKCHAND ALI
R/O VILL- PAHAL DIYA N.C.
P.S. CHAYGAON
DIST. KAMRUP (R), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR S ISLAM, MR. R ISLAM
Advocate for the Respondent : PP, ASSAM,

Linked Case : AB/2881/2024

AJGAR ALI @ MD AJGHAR ALI
S/O SAHAB ALI

RESIDENT OF VILLAGE HABLAKHA
PS HAJO DIST KAMRUP R ASSAM

VERSUS

THE STATE OF ASSAM
REP BY PP ASSAM

Advocate for : MR S ISLAM

Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

Linked Case : AB/2897/2024

MD ROHIM ALI
S/O MD. SUKCHAND ALI
R/O VILL- HABLAKHA
P.S. HAJO
DIST. KAMRUP (R)
ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP
ASSAM

Advocate for : MR S ISLAM
Advocate for : PP
ASSAM appearing for THE STATE OF ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

02.12.2024

Heard Mr. S. Islam, learned counsel appearing for the petitioners. Also heard Ms. N. D. Das, the learned Addl. Public Prosecutor, Assam.

2. These three bail applications under 482 of the BNSS, 2023 arising out of Azara P.S. Case No.203/2024 under Sections 303(2)/316(3) of the BNS, 2023 are taken up together for disposal.

3. It is alleged in the FIR that on 27.09.2024 at about 12.30 A.M. goods were loaded in a truck bearing Registration No.AS-28AC-1469. Consignment was sent to Agartala in the State of Tripura. Four persons namely, Arfan Ali, Samidul Islam, Mridul

Ali and Jamal Uddin were taking the consignment to Agartala. The informant used to call those persons while they were on their way to Agartala. On one such occasion they told the informant that the vehicle was stuck in a traffic jam at Sonapur. On 30.09.2024, the informant called the person at Agartala as to whether the truck had arrived there or not. The informant came to know that the truck did not reach till that time. Therefore, the informant lodged an FIR in the police station.

4. During investigation, police recovered the truck and the consignment was already stolen. Police arrested some persons namely, Md. Jalim Uddin, Md. Jamal Ali, Md. Majid Ali and Md. Ajibul Hassan.

5. I have gone through the case diary.

6. The case diary reveals that a big network of criminals are involved in the aforesaid offence. The case diary also reveals that these types of offences are very common in the said area.

7. This Court is of the opinion that there are some incriminating materials against the present petitioners in the case diary. Therefore, the bail, applications of Md. Saiful Islam @ Hoque, Md. Ajgar Ali @ Md. Ajghar Ali and Md. Rohim Ali are found to be not satisfactory.

Their applications for bail stands rejected and disposed.

Case diary shall be returned.

JUDGE

Comparing Assistant