

GAHC010234532024



undefined

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

Case No. : AB/2952/2024

MIRAJ ALI AND ANR
S/O LATE KETU BEPARI
R/O VILL- SILPUKHURI,
P.O. AND P.S. MIKIRBHITA,
DIST. MORIGAON, ASSAM
PIN-782123

2: JOYGUN NESSA
(MOTHER OF EJAJUL ISLAM)

W/O MIRAJ ALI
R/O VILL- SILPUKHURI
P.O. AND P.S. MIKIRBHITA
DIST. MORIGAON
ASSAM
PIN-78212

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M U MAHMUD, MRS. M SAIKIA, MS. F RAHMAN, MR S ISLAM, MR S H MAHMUD

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 13.12.2024

Heard Mr. M.U. Mahmud, 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 Mikirbheta P.S. Case No. 111/2024.

3. The informant has stated in the FIR that his daughter was married to Ejajul Islam on 12.01.2024. It is alleged that after the marriage, the girl was beaten up by her husband Ejajul Islam and on 29.07.2024, the girl was killed and her dead body was kept hanging. It may be mentioned that Ejajul Islam was arrested on 09.08.2024. The present two petitioners are his parents. It has been stated that these petitioners live separately and they are not connected with the said incident.

4. The medical report available in the case diary also shows that the deceased had continuous ligature mark on her neck.

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

6. This Court is of the opinion that for the aforesaid allegation, the present 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 Mikirbheta P.S. Case No. 111/2024, the petitioners, Miraj Ali and Joygun Nessa shall be released on bail of Rs. 20,000/- each with sureties of like amount to the satisfaction of the arresting authority.

8. Both the petitioners shall appear before 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