

GAHC010247332024



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

Case No. : AB/3064/2024

SAHUR UDDIN
S/O- LATE MIR BOX,
VILLAGE- DHANIABHETI, P.S- BATADRAVA,
DIST-NAGAON, ASSAM

2: BEGUM ALIAS ANOWARA BEGUM
W/O- SAHUR UDDIN

VILLAGE- DHANIABHETI
P.S- BATADRAVA

DIST-NAGAON
ASSAM

3: RUBINA KHATUN ALIAS RABINA KHATUN
D/O- SAHUR UDDIN

VILLAGE- DHANIABHETI
P.S- BATADRAVA

DIST-NAGAON
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : TAWHID ALOM LASKAR, SAMIM RAHMAN,MR S A BARBHUYAN,MS SURAYA RAHMAN,MR A W AMAN,MR. SURAJIT DAS,MR SARFRAZ NAWAZ

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 06.12.2024

Heard Mr.S. Nawaz, learned counsel appearing for the petitioners and Mr. R.R. Kaushik, learned Additional Public Prosecutor appearing for the state of Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail to the petitioners in respect of Batadrava PS Case No. 88/2024.

3. It is alleged in the FIR that there was a quarrel between the family members and one lady Rubina Khatun, who pushed the deceased. As a result of which the deceased fell down and died.

4. The medical report shows that the deceased died due to my-cardinal insufficiency.

5. I have considered the submissions made by the learned counsels of both sides. It is clear on the face of the record that this is not a case of murder.

6. This Court is of the opinion that under the given circumstances of the case, the petitioners do not deserve to be detained in custody.

7. Therefore, the bail application of the petitioners is allowed.

8. It is hereby directed that in the event of arrest in connection with Batadrava PS Case No. 88/2024, the petitioners, 1. Sahur Uddin, 2. Begum @ Anowara Begum and 3. Rubina Khatun @ Rabina Khatunshall be released on bail of Rs. 2,000/- each with sureties of like amount to the satisfaction of the arresting authority.

9. All the three petitioners are directed to co-operate with police Investigation Officer as and when called for.

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

The CD shall be returned.

JUDGE

Comparing Assistant