

GAHC010253772024



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

Case No. : AB/3141/2024

MURADUL ISLAM @ MD SURAT ALI
S/O LATE AYUB ALI
R/O NO. 2 AHMEDPUR
P.S. BIHPURIA
DIST. LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MS. S G BARUAH, MR. B BORGOHAIN, MR B SAIKIA, MR. S
NEOG

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 17.12.2024

- 1.** Heard Mr. B. Saikia, learned counsel for the petitioner. Also heard Mr. D. P. Goswami, learned Additional Public prosecutor for the State of Assam.
- 2.** This is an application under Section 482 of the Bharatiya Nagarik Suraksha

Sanhita (BNSS), 2023, in respect of Narayanpur Police Station Case No.43/2024.

- 3.** The petitioner along with 2 other persons tried to sale fake gold to the informant. When the informant took the said Gold to a Jeweler to test it, the petitioner and his colleagues ran away and later it was found that it was not actual gold.
- 4.** I have considered the submissions made by learned counsel for both the sides.
- 5.** This Court is of the opinion that since the offence intended to the done was not completely executed, therefore the petitioner does not deserve to be detained in custody.
- 6.** Therefore, the pre-arrest bail prayers made by the present petitioner is allowed.
- 7.** It is hereby directed that in the event of arrest in connection with Narayanpur Police Station Case No.43/2024 the petitioner Muradul Islam @ Md. Surat Ali shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the arresting authority.
- 8.** The petitioner shall co-operate with Police Investigation as and
- 9.** Case Diary shall be returned.
- 10.** The bail application stands disposed of.

JUDGE

Comparing Assistant