

GAHC010253812023



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

Case No. : AB/3827/2023

JAHANGIR ALAM AND ANR
S/O KURBAN ALI
R/O RAUMARI,
P.S. RUPAHIHUT,
DIST. NAGAON, ASSAM

2: SOIDUL ROHMAN
S/O ABDUL RAHIM
R/O ROWMARI
PO. ROWMARI
P.S. RUPAHIHUT

DIST. NAGAON
ASSA

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. K BORUAH

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

25.01.2024

Heard Mr. K. Boruah, learned counsel for the petitioners. Also heard Ms. N. Das, learned Addl. P.P, Assam.

This is an application under Section 438 Cr.PC, 1973 for granting the privilege of pre-arrest bail to the petitioners namely, Jahangir Alam and Soidul Rohman, who are apprehending arrest in connection with Chungajan Police Station Case No. 12/2023 corresponding G.R. No. 119/2023 under Sections 120(B) /379/411/406/413/420 of IPC, 1860.

The Case Diary as called for is placed before this Court.

It may be mentioned that by Order dated 15.11.2023, this Court granted the privilege of interim pre-arrest bail to the petitioners subject to the conditions.

Ms. N. Das, learned Addl. P.P submits that the Case Diary shows that the petitioners appeared before the Investigating Officer and got their statements recorded under Section 161 Cr.PC as per the interim pre-arrest bail granted earlier.

There is no adverse report against the petitioners from the Investigating Officer. This Court finds that custodial interrogation of the petitioners may not

be required in the interest of the on-going investigation into the case.

Accordingly, the interim pre-arrest bail granted in the Order dated 15.11.2023 is hereby made absolute, subject to the following conditions:-

- (i) That the petitioner shall cooperate in investigation as and when required; and
- (ii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case so as to dissuade such person from disclosing such facts to the Court or to the any Police Officer.

Accordingly, the application stands disposed of.

Return the Case Diary.

JUDGE

Comparing Assistant