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

Case No. : AB/3212/2024

MOSTAFA JAMAL @ MOSTAFA KAMAL
S/O TAYMUDDIN
R/O VILL- ALISINGA JANGAL
P.S. DALGAON
DIST. DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR M AHMED, S W HUSSAIN, A. K. KANU

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 18.12.2024

Heard Mr. M. Ahmed, learned counsel appearing for the petitioner as well as Mr. RR Kaushik, learned Additional Public Prosecutor for the state of Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail in respect of Dhula P.S. Case No. 173/2024.

3. The informant has alleged that on on 22.11.2024, his father, who was a labourer in a brick kiln, had a quarrel with some other person and during that quarrel, the deceased felt unwell. He was taken to the hospital, where he was declared dead. The postmortem report discloses that he died because of syncope as a result of chronic coronary insufficiency following heart disease (natural death).

4. I have considered the submissions made by the learned counsel of both sides.

5. This Court is of the opinion that under the given circumstances, the petitioner does not deserve to be detained in custody. Therefore, his bail application is allowed.

6. It is hereby directed that in the event of arrest in connection Dhula P.S. Case No. 173/2024, the petitioner, Mostafa Jamal @ Mostafa Kamal shall be released on bail of Rs.20,000/- with a surety of like amount to the satisfaction of arresting authority.

7. The petitioner shall co-operate with the Investigating Officer as and when called for.

8. The bail application stands disposed of accordingly.

The CD shall be returned.

JUDGE

Comparing Assistant