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

Case No. : AB/3205/2024

AMINUL KAZI ALIAS AMINUR KAZI AND 2 ORS
S/O- LATE SOBDER KAZI,
R/O- VILLAGE SILAIRPAR PART I,
P.S- GAURIPUR,
DIST- DHUBRI, ASSAM

2: MOINUL KAZI ALIAS KAZI IFTIKAR HOSHEN
S/O- LATE NAZRUL KAZI

R/O- VILLAGE SILAIRPAR PART I

P.S- GAURIPUR

DIST- DHUBRI
ASSAM

3: MILTON KAZI
S/O- LATE NAZRUL KAZI

R/O- VILLAGE SILAIRPAR PART I

P.S- GAURIPUR

DIST- DHUBRI
ASSA

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR. Y ALI, MR. A ALI

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

06.12.2024

Heard Mr. N J Dutta, learned counsel for the petitioners and Mr. D Das, learned Additional Public Prosecutor, Assam.

By this application, filed under Section 482 of the BNSS,2023, the petitioners, namely, (1) Aminul Kazi @ Aminur Kazi; (2) Moinul Kazi @ Kazi Iftikar Hoshen; and (3) Milton Kazi have prayed for pre-arrest bail, who apprehend arrest in connection with Gauripur P.S. Case No. 341/2024.

Two brothers live in a joint family. The daughter of one brother had hang one piece of cloth in the courtyard for drying and the children of the other brother took it away and concealed it. On that issue, both family had started quarrelling.

It is alleged in the FIR that one brother had used stick and other things to beat the other brother and his children.

In the meantime, both brothers have settled their dispute. They have executed an affidavit to that effect, which is available in the record.

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

This court is of the opinion that the petitioners do not deserve to be detained in custody under the given circumstances of the case. Therefore, the prayer for pre-arrest bail of the petitioner is allowed.

Accordingly, it is hereby directed that in the event of arrest of the petitioners, namely, (1) Aminul Kazi @ Aminur Kazi; (2) Moinul Kazi @ Kazi Iftikar Hoshen; and (3) Milton Kazi in connection with Gauripur P.S. Case No. 341/2024, the arresting authority shall release them on bail of Rs.20,000/- each with one surety of like amount to the satisfaction of the arresting authority.

The petitioners are directed to appear before the Investigating Officer within next 10[ten] days and they shall cooperate in the Police investigation as and when required.

The bail application is disposed of.

JUDGE

Comparing Assistant