

GAHC010260692024



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

Case No. : AB/3215/2024

NURUL AMIN CHOWDHURY
S/O LATE UZIR MAHMUD
VILL- CHOTO RUPAHI,
P.O. HERAPATI
P.S. NAGAON SADAR,
PIN-782002
DIST. NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M K HUSSAIN, MR. M ALOM, MRS. S Y AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 16.12.2024

Heard Mr. T.J. Mahanta, learned senior counsel assisted by Mr. M.K. Hussain, learned counsel for the petitioner. Also heard Mr. D.P. Goswami, learned Addl. P.P. for the State respondent.

This is an application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with prayer for pre-arrest bail as he is apprehending arrest in connection with Rupahihat P.S. Case No. 411/2024 under Sections 329(3)/329(4)/115(2)/74/140(3) of Bharatiya Nyaya Sanhita, 2023.

The informant has alleged that because of some financial transaction with the petitioner, he had quarrel with her husband. It is alleged that the petitioner had assaulted the husband of the informant. The Investigating Officer reveals that actually the husband of the informant was sitting in the chair and the petitioner pushed the chair as a result of which the husband of the informant fell down and sustained injury.

Mr. Mahanta submits that the husband of the informant had borrowed money from him and did not returned for which there was quarrel.

I have considered the submissions of the learned counsel for both the parties and considering the facts I am of the opinion that they do not deserve to be confined in custody. Accordingly, it is hereby directed that in the event of arrest of the petitioner, namely, Md. Nurul Amin Chowdhury in connection with above mentioned P.S. Case he shall be released on bail on furnishing a bail bond of Rs.20,000/- (Rs. Twenty thousand) with one suitable surety of the like amount to the satisfaction of the Arresting Authority.

Return the case diary.

The anticipatory bail application is disposed of.

JUDGE

Comparing Assistant