

GAHC010261872023



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

Case No. : AB/3948/2023

NEBBAS ALI AND ANR.
S/O LATE KAMAL SHEIKH,
VILL.- HATIPARA,
P.S.- GOROIMARI,
DIST.- KAMRUP (R), ASSAM.

2: IMRAN HUSSAIN
S/O NEBBAS ALI
VILL.- HATIPARA
P.S.- GOROIMARI
DIST.- KAMRUP (R)
ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE P.P., ASSAM.

Advocate for the Petitioner : MR. A M KHAN
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

22.04.2024

Heard Mr. A. M. Khan, learned counsel for the petitioners. Also Heard Mr. R. J. Baruah, learned Addl. Public Prosecutor, Assam appearing for the State respondent.

This petition under Section 438 Cr.P.C., is filed for granting the privilege of pre-

arrest bail to the petitioners, namely **Nebbas Ali and Imran Hussain**, apprehending their arrest in connection with **Goroimari P.S. Case No. 89/2023** registered u/s **420/406/384 /506** of the IPC.

The Case diary, as called for, is placed before the Court.

It may be mentioned that by order, dated 01.02.2024, this Court granted the privilege of interim pre-arrest bail to the petitioners.

Mr. R. J. Baruah, learned Addl. Public Prosecutor, submits that the case diary shows that the petitioners appeared before the investigating officer and got their statements recorded under Section 161 Cr.P.C. as per the interim pre arrest bail granted earlier. There is no adverse report against the petitioners from the I.O.

Therefore, the interim pre-arrest bail granted vide order, dated 01.02.2024 is hereby made absolute, subject to the following conditions-

- (i) That the petitioners shall co-operate in investigation as and when required;
- (ii) That the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and
- (iii) That the petitioners shall not hamper or tamper with the investigation in any manner.

Return the case diary.

This disposes off the anticipatory bail application.

JUDGE

Comparing Assistant