

GAHC010268112023



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

Case No. : AB/4018/2023

SAFIUR RAHMAN MOLLAH
S/O ABDUL LATIF MOLLAH,
PERMANENT RESIDENT OF BRAHMAPUTRA HOUSING COMPLEX BLOCK
H, BISNU RABHA PATH, BHETAPARA, DIST. KAMRUP (M), PIN-781028

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. SAILENDRA DEKA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 01.04.2024

Heard Mr. B.Dutta, learned Senior Counsel assisted by Mr. S.Deka, learned for the petitioner and Mr. D.P.Goswami, learned Addl. Public Prosecutor, Assam appearing for the State respondent.

This is an application filed under Section 438 of Cr.P.C., praying for granting pre-arrest

bail to the petitioner, namely, **Safiur Rahman Mollah**, in connection with Cyber P.S. Case No. 12/2023 under Sections 120(B)/419/420/409/468/471 of IPC read with Sections 66C/66D of the IT Act, 2005.

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

It may be mentioned that by order, dated 28.11.2023, this Court granted the privilege of interim pre-arrest bail to the petitioner.

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

Therefore, the interim pre-arrest bail granted vide order, dated 28.11.2023 is hereby made absolute, subject to the following conditions-

- (i) That the petitioner shall co-operate in investigation as and when required;
- (ii) That the petitioner 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 petitioner shall not hamper or tamper with the investigation in any manner.

Return the case diary.

This disposes of the anticipatory bail application.

JUDGE

Comparing Assistant