

GAHC010276432023



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

Case No. : AB/4233/2023

FARHAD ALI
S/O- LATE BILAT HUSSAIN R/O- AMBARI PANITAL P/S- SATGAON. DIST-
KAMRUP (M), ASSAM. PH - 9577726468

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM,

Advocate for the Petitioner : MR K THAKUR

Advocate for the Respondent : PP, ASSAM

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

19.01.2024

This is an application under Section 438 of the CrPC in respect of Satgaon Police Station Case No.183/2022, registered under Sections 326/307 of the Indian Penal Code.

I have heard the learned counsel appearing for the petitioner. Also heard Mr. K.K. Parasar, the learned Addl. Public Prosecutor representing the State of Assam.

The informant has alleged that on 28.11.2022, his married sister was attacked by her husband with a dao. He alleged that the woman sustained serious injuries on the back side of her head.

Today, the medical report shows that the sister of the informant sustained simple cut injury.

Under the given circumstances of the case, no case is made out under Section 326 and 307 of the IPC against the present petitioner. Therefore, he does not deserve to be detained in custody. Accordingly, his pre-arrest bail application is allowed.

It is hereby directed that in the event of arrest in connection with Satgaon Police Station Case No.183/2022, registered under Sections 326/307 of the Indian Penal Code, the petitioner Farhad Ali shall be released on bail of ₹25,000/- with a surety of like amount to the satisfaction of the arresting authority.

With the aforesaid direction, the application for bail is disposed of.

Case diary shall be returned.

JUDGE

Comparing Assistant