

GAHC010282702023



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

**Case No. : AB/4216/2023**

MD. JOYNAL ABEDIN  
S/O SAMSUL HUSSAIN  
R/O VILL- PECHAALA  
P.S. RATABARI  
DIST. KARIMGANJ, ASSAM

VERSUS

THE STATE OF ASSAM  
REP. BY THE PP, ASSAM

**Advocate for the Petitioner : MR S H SIKDAR**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HON'BLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**23.02.2024**

Heard Mr. S.H. Sikdar, learned counsel for the applicant. Also heard Mr. B. Sarma, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

2. Apprehending arrest in connection with Dispur P.S. Case No.3917/2021, under

Section 420/468/471 IPC, this application under Section 438 Cr.P.C. is preferred by applicant, namely, Md. Joynal Abedin, for grant of pre-arrest bail.

3. It is to be noted here that the aforementioned case has been registered on the basis of an FIR lodged by one Roshni Aparanji Korati, IAS, Mission Director, Sarba Siksha Abhiyan, Assam, on 27.10.2021. The essence of allegation made in the aforesaid FIR is that in the year 2021, 10(ten) candidates got appointment SSA contractual teacher with doubtful TET Certificate of the year 2019.

4. Mr. Sikdar, learned counsel for the applicant submits that the applicant was granted the privilege of interim pre-arrest bail by this Court vide order dated 15.12.2023 and pursuant to the said order, he had appeared before the I.O. and cooperating with the investigating agency. Mr. Sikdar further submits that the applicant had already resigned from the service and he is ready to cooperate with the investigating agency and therefore, it is contended to make the interim order dated 15.12.2023, absolute, in the same terms and conditions.

5. On the other hand, Mr. B. Sarma, learned Additional Public Prosecutor, Assam, has produced the case diary before this Court and confirms appearance of the applicant before the I.O. and submits that the applicant has been cooperating with the investigating agency. But, Mr. Sarma submits that the I.O. has collected some materials in support of the allegation made in the FIR and therefore, it is contended to dismiss the petition.

6. Having heard the submission of learned Advocates of both sides, I have carefully gone through the petition and the documents placed on record and also perused the case diary with the assistance of Mr. Sarma, learned Additional P.P.

7. The case diary indicates that the applicant had appeared before the I.O. and cooperating with the investigating agency. Further, it appears that the I.O. has achieved substantial progress in the investigation of this case and in that view of the matter, custodial interrogation of the applicant seems to be not warranted here in this case and therefore, this Court is inclined to make the interim order dated 15.12.2023, absolute, in

the same terms and conditions. Case diary be returned.

8. In terms of above, this anticipatory bail application stands disposed of.

**Sd/- Robin Phukan**  
**JUDGE**

**Comparing Assistant**