

GAHC010290442023



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

Case No. : AB/4358/2023

TAZ UDDIN BARBHUIYA AND 2 ORS
S/O- MUSHAN ALI BARBHUIYA, R/O- VILL- DINANATHPUR PART-II, P.O-
DINONATHPUR, P.S- LALA, DIST- HAILAKANDI, ASSAM, PIN- 788161

2: KABIR AHMED BARBHUIYA
S/O- MUSHAN ALI BARBHUIYA
R/O- VILL- DINANATHPUR PART-II
P.O- DINONATHPUR
P.S- LALA
DIST- HAILAKANDI
ASSAM
PIN- 788161

3: RAHIM UDDIN BARBHUIYA
S/O- MUSHAN ALI BARBHUIYA
R/O- VILL- DINANATHPUR PART-II
P.O- DINONATHPUR
P.S- LALA
DIST- HAILAKANDI
ASSAM
PIN- 78816

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. A H ALAMGIR

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 07.02. 2024

Heard Mr. A.H. Alamgir, learned counsel for the petitioners and Mr. P. Borthakur, learned Addl. Public Prosecutor, appearing on behalf of the State respondent.

This is an application under Section 438 Cr.P.C., filed by the petitioners, namely 1) Taz Uddin Barbhuiya, 2) Kabir Ahmed Barbhuiya and 3) Rahim Uddin Barbhuiya, praying for pre- arrest bail who are apprehending arrest in connection with Abdullapur P.P. under Lala P.S. Case No. 277/2023 (Corresponding to G.R. Case No. 1206/2023) under Sections 341/ 326/ 34 IPC.

The petitioners are on interim bail till today.

This case was fixed for production of the case diary, but it is submitted by Mr. P. Borthakur, learned Addl.PP that charge sheet has already been submitted against the petitioners by the police vide C.S. No. 259/2023 dated 30.11.2023 and the petitioners may be directed to appear before the learned trial court for seeking regular bail.

In this context, Mr. AH Alamgir, learned counsel for the petitioners has submitted that some protection may be given to the petitioners so that they can appear before the learned trial Court to seek regular bail.

Considering the submissions of the learned counsel for the parties and other aspects of the matter, the petitioners are hereby directed to appear before the learned trial court within 15 (fifteen) days from the date of this order for regular bail, and if such bail application is filed by the petitioners, the same shall be considered by the learned court below in accordance with law.

The interim order dated 22.12.2023 shall remain in force for a period of 15 days only from today and thereafter, the interim order shall stand vacated.

In terms of the above direction, this bail application stands disposed of.

JUDGE

Comparing Assistant