GAHC010122202020

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

Case No. : AB/2355/2020

BAHARUL ISLAM AND 2 ORS.
S/O MD. IDRISH ALI, R/O UTTAR KALJAR, P.S. HOWLY IN THE DIST. OF BARPETA, ASSAM

2: IDRISH ALI

3: HANNAN AL

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP, ASSAM.

Advocate for the Petitioner : MR. P KATAKI

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR

ORDER

Date : 25-11-2020

Heard Mr. P. Kataki, learned counsel for the petitioners. Also Heard Mr. N.K. Kalita, 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 **i) Md. Baharul Islam ii) Md. Idrish Ali** and **iii) Md.**

Hannan Ali, apprehending arrest in connection with **Howly P.S. Case No. 357/2020 corresponding to G.R. Case No. 4002/2020** registered u/s **420/376/34** of the IPC.

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

It may be mentioned that by order, dated 16.09.2020, this Court granted the privilege of interim pre-arrest bail to the petitioners.

Perusal of the case diary does not reveal sufficient incriminating material against the petitioners. In compliance of the interim pre-arrest bail granted earlier, the petitioners appeared before the I.O. and got their statements recorded u/s 161 Cr.P.C.

Therefore, the interim pre-arrest bail granted vide order, dated 16.09.2020 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