GAHC010134982020

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

Case No. : AB/2670/2020

MD. AZIZUR RAHMAN
S/O LATE IDRIS ALI, R/O 1 NO. ADAVETI, P.S.-SOTEA, DIST-BISWANATH (ASSAM)

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR H R A CHOUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

Date : 03-12-2020

Heard Mr. A Ahmed, learned counsel for the petitioner. Also heard Mrs. A Begum, learned Additional Public Prosecutor, appearing for the State respondent.

This is an application, filed under Section 438 of the Cr.PC. seeking pre-arrest bail of the petitioner, namely, ***Md. Azizur Rahman,*** in connection with ***Bishwanath Chariali P.S. Case No. 221/2019*** registered under Section 498A of the IPC read with

Section 4 of the Muslim Women Protection of Right on Marriage Act, 2019.

Perused the case diary produced before this Court.

The learned counsel for the petitioner has submitted that the petitioner has already brought back the victim/informant and they have started their conjugal life. On the other hand, the petitioner has appeared before the Investigating Police Officer after obtaining interim pre-arrest bail and has not misused the liberty granted to him while availing interim pre-arrest bail.

On perusal of the materials in the case diary, it does not appear to this Court that custodial interrogation of the petitioner is necessary for the purpose of investigation of the case. Therefore, the petitioner is granted the privilege of pre-arrest bail.

Accordingly, the interim pre-arrest bail granted to the petitioner vide order, dated 07.10.2020 is made absolute on the same terms and conditions.

Return the case diary.

The petition stands disposed of accordingly.

JUDGE

Comparing Assistant