GAHC010144482020

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

Case No. : AB/2866/2020

HEDAYAT ULLAH
S/O IMMAN ULLAH, R/O DARBAR FIELD, PACCAGHAT, P.O., P.S. AND DIST-SIBASAGAR, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. P BORA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

04-12-2019

This is an application made under **Section 438 Cr.P.C**., seeking pre-arrest bail by the petitioner, namely, **Hedayat Ullah,** apprehending arrest in connection with **Sivasagar Police Station Case No. 1027/2020,** registered **under Sections 498(A)/307/323/34 of the IPC.**

I have perused the petition including the copy of the FIR and the documents annexed therewith.

The case diary produced has also been perused.

Heard Mr. P. Bora, learned counsel appearing for the petitioner and Mr. M.P. Goswami, learned Additional Public Prosecutor.

It appears from the materials in the case diary that the dispute between the parties is basically matrimonial in nature. So far the allegation under Section 307 of the IPC is concerned, on examination of the medical report of injury available in the case diary, it does not appear that there was an attempt to commit murder on the part of the petitioner since the injuries found are bruises in nature.

On the other hand, the petitioner is availing interim protection, he has appeared before the Investigating Police Officer in accordance with the order granting interim pre-arrest bail to him. His statement has already been recorded and he has not misused the liberty granted to him.

That being so, the petitioner is granted the privilege of pre-arrest bail.

Accordingly, the interim pre-arrest bail granted to the petitioner, vide order dated 20-10-2020, is made **absolute** by this order on the same terms and conditions.

The anticipatory bail application stands disposed of.

Return the case diary.

JUDGE

Comparing Assistant