GAHC010162122020

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

Case No. : AB/3283/2020

RAFIQUL ISLAM @ RAFIKUL ISLAM
S/O ABDUS SALAM, R/O VILL-NO. 1 KUARIPUKHURI, P.O.-KUARIPUKHURI, P.S.-KHARUPETIA, DIST-DARRANG, ASSAM, PIN-784115

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. J A AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE

HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN

ORDER

14.12.2020

By this pre-arrest bail application under Section 438 CrPC, petitioner, namely, Rafiqul Islam @ Rafikul Islam, has sought for pre-arrest bail, in the event of his arrest in connection with Kharupetia PS Case No. 352/2020, under Sections 417/419/406/409/420/34 IPC (corresponding to GR Case No. 2200/2020)

Heard the submissions of learned counsel for both the parties.

Also perused the Case Diary and the FIR.

As has been alleged in the FIR, there is sufficient material in the Case Diary that the present

petitioner working as GRS, handled the job cards of different beneficiaries, including one Musha Ali and even after the death of the said Musha Ali, the petitioner operated the said job card, showing transactions against his name and misappropriated the amount of the job-card by showing fake account under the MGNREGA scheme.

Sufficient complicity of the petitioner is made out from the materials in the Case Diary and in that view of the matter this Court is of the opinion, that it is not a fit case to grant the privilege of pre-arrest bail to the petitioner.

Accordingly, the Anticipatory Bail Application is hereby rejected.

Return the Case Diary.

JUDGE

Comparing Assistant