GAHC010162262020

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

Case No. : AB/3263/2020

MRS. REENA BEGUM AND 2 ORS
W/O LATE ROFIQUE ALI, R/O HOUSE NO. 89, BIMA PATH, DWARADHA, P.S.-DISPUR, GUWAHATI-781022, DIST-KAMRUP(M), ASSAM

2: JIAUR RAHMAN @ RUBUL ALI
S/O LATE ROFIQUE ALI
R/O HOUSE NO. 89
BIMA PATH
DWARADHA
P.S.-DISPUR
GUWAHATI-781022
DIST-KAMRUP(M)
ASSAM

3: MISS RUKSANA AHMED @ MOMI BEGUM
D/O LATE ROFIQUE ALI
R/O HOUSE NO. 89
BIMA PATH
DWARADHA
P.S.-DISPUR
GUWAHATI-781022
DIST-KAMRUP(M)
ASSA

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. D M NATH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

Date : 07-12-2020

This is an application, made under **Section 438 Cr.P.C**., seeking pre-arrest bail by the petitioners, namely, **1. Mrs. Reena Begum, 2. Mr. Jiaur Rahman @ Rubul Ali** and **3. Miss Ruksana Ahmed @ Momi Begum,** apprehending arrest in connection with **Dispur Police Station Case No. 2668 of 2020**, registered **under Section 498(A) of the IPC**.

The case diary produced has also been perused.

Heard Mr. D.M. Nath, learned counsel for the petitioners as well as Mr. B. Sarma, learned Additional Public Prosecutor, appearing for the State of Assam.

It appears from the materials in the case diary that there has taken place an altercation between the informant and the petitioners in respect of some family properties. It does not appear that there is such material for offences under Section 498(A) of the IPC requiring custodial interrogation of the petitioners.

On the other hand, the petitioners are already on interim pre-arrest bail. They have appeared before the Investigating Police Officer in accordance with the order, dated 12-11-2020 granting interim pre-arrest bail to them. Their statements have already been recorded and they have not misused the liberty granted to them.

Accordingly, the interim pre-arrest bail granted to the petitioners, vide order dated 12-11-2020, is made **absolute** by this order with the same terms and conditions.

The anticipatory bail application stands disposed of accordingly.

Return the case diary.

JUDGE

Comparing Assistant