

GAHC010028302023



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

Case No. : AB/422/2023

ASHAD ALI @ ASAD ALI AND 2 ORS
S/O- LATE ABDUL JALIL, R/O- VILL.- THANAGORA, P.O. BHURBONDHA,
P.S. AND DIST. MORIGAON, ASSAM, PIN- 782104.

2: MD. BIDYA HUSSAIN @ VIDDA HUSSAIN
S/O- ASHAD ALI
R/O- VILL.- THANAGORA
P.O. BHURBONDHA
P.S. AND DIST. MORIGAON
ASSAM
PIN- 782104.

3: SAHABUDDIN @ SAHABUDDIN MUNSI @ CHAHABUDDIN
S/O- MISURUDDIN
R/O- VILL.- THANAGORA
P.O. BHURBONDHA
P.S. AND DIST. MORIGAON
ASSAM
PIN- 782104

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. D C BORAH

Advocate for the Respondent : PP, ASSAM

BEFORE

HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 14-02-2023

Heard Mr. K.M. Hasan, learned counsel for the applicants. Also heard Mr. D. Das, learned Addl. P.P. Assam appearing for the State.

Apprehending arrest in connection with Morigaon P.S. Case No. 635/2019 registered under Section 363/366/376(2)(n) IPC read with Section 6 of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act, 2006 the three applicants have approached this Court by filing the present application under Section 438 Cr.P.C. seeking anticipatory bail.

I have perused the FIR as well as the documents available on record. Also considered the submissions made at the bar.

Call for the Case Diary fixing 13-03-2023.

Heard on the prayer of interim anticipatory bail.

Having regard to the facts and circumstances of the case, it is hereby provided that, in the event of arrest, the applicants, viz. Ashad Ali, Md. Bidya Hussain @ Vidda Hussain and Sahabuddin @ Sahabuddin Munsif @ Chahabuddin shall be allowed to go on pre-arrest bail on furnishing a bond of Rs. 20,000/- each with one local surety each of like amount to the satisfaction of the arresting authority.

It is, however, made clear that the applicants shall appear before the Investigating Officer within 02 weeks from today for recording their statements.

Let this matter be listed again on 13-03-2023.

JUDGE

GS

Comparing Assistant