

GAHC010103422025



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

Case No. : AB/1080/2025

SULTAN ALI AND ORS
S/O- NASIR ALI @ NASER ALI.
R/O- VILL.- PANDITORPAM, P.O.- HAJO.
P.S- HAJO, DIST.- KAMRUP.
PIN-781102

2: NASIR @ NASER ALI
S/O- LATE ANSER ALI.
R/O- VILL.- PANDITORPAM
P.O.- HAJO.
P.S- HAJO
DIST.- KAMRUP.
PIN-781102

3: JAHANARA
W/O- NASER ALI.
R/O- VILL.- PANDITORPAM
P.O.- HAJO.
P.S- HAJO
DIST.- KAMRUP.
PIN-78110

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP ASSAM

Advocate for the Petitioner : MR A A DEWAN, MR H A RASHID

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 29.05.2025

- 1.** Heard Mr. A. A. Dewan, learned counsel for the petitioners. Also heard Mr. R. J. Baruah, learned Additional Public Prosecutor for the State who has produced the case diary and has submitted that though the informant has stated in his statement recorded under Section 181 of BNS that he sustained injury on his left eye, however, no injury report is available in the case diary and, hence, he prays for calling for the injury report.
- 2.** On the other hand, the learned counsel for the petitioners submits that the petitioner No. 3, Jahanara, was granted interim bail by this Court by order dated 19.05.2025 and she has co-operated in the investigation. He also submits that the main accusation in the FIR is against the accused, namely, Jahur Ali who is the son of the petitioner Nos. 2 and 3 and brother of the petitioner No. 1.
- 3.** He also submits that as the petitioner No. 3 was granted interim protection by this Court has co-operated in the investigation, the other two petitioners who are not the main accused in this case are also willing to co-operate in the investigation and their custodial interrogation may not be necessary.
- 4.** Considering the submissions of the learned counsel for the petitioners as well as the learned Additional Public Prosecutor, let the injury report of the informant be called for.
- 5.** Let the case diary be sent back to be called again along with injury report of the informant on 26th June, 2025.

6. In the meanwhile, the interim anticipatory bail granted to the petitioner No. 3 shall continue till the next date.

7. Further, the petitioner 1. Sultan Ali and petitioner No. 2 Nasir @ Naser Ali are hereby directed to appear before the Investigating Officer of Hajo P.S. Case No.123/2025 within a period of seven days from the date of this order and co-operate in the investigation. If they do so within the stipulated period of time, in the event of their arrest, in connection with the aforesaid case, they shall be allowed to go on interim bail of Rs.30,000/- (Rupees Thirty Thousand) each with one surety of like amount subject to the satisfaction of the arresting authority with following conditions:-

(i) That the petitioner Nos. 1 and 2 shall not directly or indirectly make any inducement, threat or promise to any person who may be acquainted with the facts of the case so as to dissuade such person from disclosing such facts of the case before the Investigating Officer;

(ii) That the petitioner Nos. 1 and 2 shall co-operate in the investigation;

8. Send back the case diary.

9. List this matter again on 26th of June, 2025.

JUDGE

Comparing Assistant