

GAHC010119102025



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

Case No. : AB/1245/2025

ABBAS ALI
SON OF LATE HABIL MONDAL
R/O VILL- BANDIA CHAPORI
P.O. MANGALDOI,
P.S. MANGALDOI
DIST. DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M K HUSSAIN, MR. M ALOM, MS. F H AHMED, MRS. S Y AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 05.06.2025

- 1.** Heard Mr. M. K. Hussain, learned counsel for the petitioner. Also heard Ms. N. Das, learned Additional Public Prosecutor for the State.
- 2.** This application under Section 482 of BNSS has been filed by the petitioner, namely, *Abbas Ali*, who is apprehending his arrest in connection with

Mangaldoi P.S. Case No. 91/2025 under Section 105 of BNS.

3. The gist of accusation in this case is that on 13.05.2025, one Ashadul Hoque had lodged an FIR before the Superintendent of Police, Darrang, *inter alia*, alleging that while constructing a road under MGNREGA scheme near the house of one Ibrahim Ali, a sign board was put there in a very casual manner, though the objections were raised that the signboard was not properly put there, nobody put any heed to the same. It is also stated in the FIR that on 02.05.2025, the signboard fell on the minor son of the informant and as a result of which he sustained injuries and ultimately he succumbed to his injuries. The FIR has also mentioned names of three accused persons.

4. The learned counsel for the petitioner has submitted that the petitioner is in no way involved in the incident alleged in the FIR. He also submits that the petitioner has not been named in the FIR, he is the owner of the tractor which was used to carry out the work under the MGNREGA scheme. However, the learned counsel for the petitioner submits that the petitioner is being called by the police and the police is in search of him for which he is apprehending his arrest. He also submits that the petitioner is ready to co-operate in the investigation.

5. On the other hand, Additional Public Prosecutor has prayed for calling of the case diary.

6. Call for the case diary.

7. List this matter again on 26.06.2025.

8. In the meanwhile, considering the submissions made by the learned counsel for the petitioner as discussed in the forgoing paragraph, the above named petitioner is directed to appear before the Investigating Officer of

Mangaldoi P.S. Case No. 91/2025 within a period of seven days from the date of this order and co-operate in the investigation. If he does so within the stipulated period of time, in the event of his arrest, in connection with the aforesaid case, he shall be allowed to go on interim bail of Rs.30,000/- (Rupees Thirty Thousand) with one surety of like amount subject to the satisfaction of the arresting authority with following conditions:-

- (i) That the petitioner 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 shall co-operate in the investigation;

9. List accordingly.

JUDGE

Comparing Assistant