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

Case No. : AB/1758/2025

JIYABUR RAHMAN
S/O ABDUL MAJID
VILL- TINTHENGIA
P.S. BIHPURIA
DIST. LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MAHIBUR RAHMAN, MS. NISHA BEGUM, MR AZIZUR RAHMAN, MS ASFIA AHMED

Advocate for the Respondent : PP, ASSAM,

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

ORDER

31-07-2025

Heard Mr. M. Rahman, learned counsel for the petitioner and Mr. B. Sarma, learned Additional Public Prosecutor, for the State respondent.

This is an application under Section 482 BNSS, 2023 praying for grant of pre-arrest bail to the accused/petitioner, who is apprehending his arrest in connection with

North Lakhimpur P.S. Case No. 143/2025 under Sections 331(4)/74/118(1) of the BNS, 2023.

It is submitted by Mr. Ahmed, learned counsel that the petitioner is innocent and due to some misunderstanding the instant FIR was lodged by the victim, but, now, the matter is settled between the parties and they are residing together happily and peacefully.

However, the petitioner is ready and willing to cooperate with the I.O. in further investigation of the case, if he is granted with some interim protection.

Mr. Sarma, learned Addl. PP submitted in this regard that the case diary may be call for to know the actual fact of the case

Considering the submissions made by the learned counsel for both sides and the fact that the matter has been settled between the parties, I find it a fit case to extend the privilege of interim pre-arrest bail to the accused/petitioner, till receipt of the Case Diary.

Accordingly, it is provided that in the event of arrest of the accused/petitioner, namely, Jiyabur Rahman, in connection with North Lakhimpur P.S. Case No. 143/2025 under Sections 331(4)/74/118(1) of the BNS, 2023, he shall be enlarged on interim pre-arrest bail on his executing a bail bond of Rs.20,000/- (Rupees Twenty Thousand) only with one surety of the like amount to the satisfaction of the arresting authority, subject to the following conditions:

- (i) that the petitioner shall appear before the Investigating Officer of the case within a period of 1(one) week from today to enable recording of his statement;
- (ii) that the petitioner shall fully co-operate with the investigation of the case and shall appear before the Investigating Officer as and when required in connection with

the investigation of the aforesaid P.S. Case and

- (iii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.

List the matter, accordingly, on **04.09.2025** for production of the Case diary along with the medical report.

JUDGE

Comparing Assistant