

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

Case No. : AB/2607/2020

FAKKAR UDDIN S/O LATE ABDUL HAQUE, R/O VILL-KOCHGAON, P.S.-RUPAHIHAT, DIST-NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner: MR S N SARMA SENIOR ADVOCATE

Advocate for the Respondent : PP, ASSAM

BEFORE

HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN ORDER

<u>09.02.2021</u>

By this pre-arrest bail application under Section 438 CrPC, petitioner, namely, Fakkar Uddin, has sought for pre-arrest bail in the event of his arrest in connection with Nagaon Sadar Police Station Case No. 2077/2020, under Sections 120(B)/406/419/420 IPC.

Heard the learned counsel for both the sides.

Also perused the record and the Case Diary.

Although the accused petitioner intends to submit that he is a different person than that of Fakhrul Hoque, as mentioned in the FIR, but so far as the statement of the informant and other witnesses, including the co-accused and also the note of the IO, it indicates that Fakkar Uddin and Fakhrul Hoque is the one and same person his father's name is Late Abdul Haque.

Sufficient complicity of the petitioner is made out from the materials on record with the offence alleged. Accordingly, this Court is of the opinion that it is not a fit case for granting the privilege of pre-

arrest bail to the accused petitioner and his bail application is accordingly, rejected.

Interim order passed earlier on 01.10.2020, is hereby vacated.

Return the Case Diary.

JUDGE

Comparing Assistant