

GAHC010024572024



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

**Case No. : AB/318/2024**

ALEP ALI  
S/O LATE MAJAM ALI R/O - NIJ BORUWAJHAR P.O - KUWARU PUKHURI  
P.S- KHARUPETIA (ASSAM)

2: KASIMUDDIN AHMED  
S/O LATE TALEB ALI VILLAGE -NIJ BORUJAHAR POLICE STATION-  
KHARUPETIA DISTRICT- DARRANG (ASSAM)

2: Kasimuddin Ahmed  
R/O - Nij Boruwajhar P.O- Kuwaru Pukhuri P.S - Kharupetia District - Darrang  
(Assam)

3: Kalimuddin Ahmed  
R/O - Nij Boruwajhar P.O- Kuwaru Pukhuri P.S - Kharupetia District - Darrang  
(Assam)

3: KALIMUDDIN AHMED  
S/O - LATE TALEB ALI VILLAGE - NIJ BORUJAHAR POLICE STATION-  
KHARUPETIA DISTRICT - DARRANG (ASSAM)

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THE P.P, ASSAM

**Advocate for the Petitioner : ALEP ALI AND 2 ORS**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE**  
**HON'BLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**17.02.2024**

Heard Mr. M.H. Ahmed, learned counsel for the applicants and also heard Mr. B. Sarma, learned Additional Public Prosecutor, Assam, appearing for the State respondent.

This application under Section 438 Cr.P.C. is preferred by three applicants, namely, Alep Ali, Kasimuddin Ahmed and Kalimuddin Ahmed, who have been apprehending arrest in connection with an FIR lodged by one Suruj Ali with the Officer-in-Charge, Dalgaon P.S., for grant of pre-arrest bail.

It is to be noted here that vide order dated 12.02.2024 the learned Additional P.P. was directed to obtain necessary instruction from the Officer-in-Charge, Dalgaon P.S., as to whether any case has been registered on the basis of one FIR lodged by one Suruj Ali or not.

Today, Mr. B. Sarma, learned Additional P.P. obtaining verbal instruction from the Officer-in-Charge, Dalgaon P.S., apprised this Court that no case has been registered against the present applicant.

As no case has been registered against the present applicant, there is no apprehension of arrest and as such, this petition becomes infructuous and accordingly, the same stands closed.

***Sd/- Robin Phukan***  
**JUDGE**

**Comparing Assistant**