

GAHC010124642019



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

I.A.(Civil) 1877/2019

1:SONAULLAH @ MD. SANA ULLAH
PERMANENT R/O- VILL- KALAHIKASH
P.S- BOKO
PIN- 781136
DIST- KAMRUP
ASSAM

VERSUS

1:THE UNION OF INDIA AND 8 ORS
REP. BY THE SECRETARY TO THE GOVT OF INDIA
MIN OF HOME AFFAIRS
NEW DELHI
PIN- 110001

2:THE ELECTION COMMISSION OF INDIA
REP. BY THE CHIEF ELECTION COMMISSIONER
NEW DELHI- 110001

3:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
HOME DEPTT
DISPUR
GUWHATI- 781006

4:THE DEPUTY COMMISSIONER
KAMRUP (R)
PIN- 781031

5:THE SUPERINTENDENT OF POLICE (B)
KAMRUP
PIN- 781031

ASSAM

6:STATE COORDINATOR
NRC
BHANGAGARH
GUWAHATI- 5

7:DEFENCE SECRETARY
MIN OF DEFENCE
NEW DELHI
SOUTH BLOCK
110011

8:GENERAL OFFICER COMMANDING IN CHIEF
EASTERN COMMAND
INDIAN ARMY
FORT WILLIAM
KOLKATA- 700021

9:CHANDRAMAL DAS
FORMER SI (B)
BOKO POLICE STATION- 781123

Advocate for the Petitioner : MR H R A CHOUDHURY
Advocate for the Respondent : ASSTT.S.G.I.

:: BEFORE ::

**HON'BLE MR. JUSTICE MANOJIT BHUYAN
HON'BLE MR. JUSTICE PRASANTA KUMAR DEKA**

O R D E R

07.06.2019

(Manojit Bhuyan, J)

Heard Ms. Indira Jaising, learned Senior Counsel for the applicant as well as Ms. A. Gayan, learned counsel representing respondent no.1. Also heard Mr. A.I. Ali, learned counsel representing respondent no.2 and Mr. U.K. Nair, learned Senior Counsel representing respondent nos.3, 4, 5, 7 and 8. Also heard Ms. S. Khanikar, learned counsel representing

respondent no.6.

This is an application seeking release of the applicant Md. Sonallah @ Md. Sana Ullah from his detention at Goalpara Detention Centre.

Issue Notice, returnable by 4(four) weeks.

Applicant to take steps for service of notice on respondent no.9, who is impleaded by name, by registered post, acknowledgement due within 5(five) days.

Extra copies of the present Interlocutory Application be served upon the counsels who have put in appearance on behalf of the respondents herein.

We have heard the counsels for the parties and have also perused the materials as available. On such perusal and pending return of notice we are inclined to grant interim bail to the applicant Md. Sonallah @ Md. Sana Ullah to the extent that the Superintendent of Police (Border), Kamrup shall take steps to release the applicant from his detention at Goalpara Detention Centre, subject to the applicant furnishing bail bond of Rs.20,000/- with two local sureties of the like amount to the satisfaction of the said authority i.e. Superintendent of Police (Border), Kamrup. It is made clear that consequent upon release from detention on bail, the applicant shall not move out from the territorial jurisdiction of Kamrup and Kamrup (Metro) without prior information and approval of the Superintendent of Police (Border), Kamrup. We also make it clear that prior to releasing the applicant on bail, the biometrics of the iris of both eyes, the fingerprints of both hands and photograph of the petitioner shall be obtained.

JUDGE

JUDGE

Comparing Assistant