

GAHC010082822023



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

Case No. : Bail Appln./1404/2023

DEEPJYOTI GOGOI
S/O- SRI REBOT GOGOI, R/O- BALIONIGAON, P.S. GHILAMARA, DISTRICT-
LAKHIMPUR, ASSAM

VERSUS

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

Advocate for the Petitioner : MR. B BARUAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

16/05/2023

Heard Mr. B Baruah, learned counsel for the petitioner and Mr. M P Goswami, learned Additional Public Prosecutor, Assam for the State.

This application under Section 439 Cr.P.C. has been filed by the petitioner, namely, **Sri Deepjyoti Gogoi**, seeking bail in connection with **Doom Dooma P.S. Case No. 83/2023** registered under Section 370 IPC, wherein he was arrested on 29.03.2023 and since then he is in custody.

Perused the case diary placed before the Court today by Mr. M P Goswami, learned Additional Public Prosecutor, Assam.

One Kiran Munda on 24.03.2023 lodged an FIR before the Officer-in-Charge of Talap Police Outpost under Doom Dooma Police Station stating that on 03.02.2023, one Sri Dipak Karmakar, son of Sri Ali Karmakar, resident of Village-Talap and another Sri Deepjyoti Gogoi, the petitioner, son of Sri Rebot Gogoi, resident of Village-Balioni, Ghilamora, Lakhimpur enticed 13 children of villages- Talap, Kherbari, Khubang and Biswanath Chariali and took them away in the midnight and as per the information, the accused persons sold those children to one Taksing of Arunachal Pradesh in lieu of cash, where the children are physically and mentally harassed and whenever they want to come back to their respective homes, they were beaten up and thereby kept them in captive.

The said FIR was registered as G.D. Entry No. 486 dated 24.03.2023 in Talap Police Outpost and subsequently, registered as Doom Dooma P.S. Case No. 83/2023 registered under Section 370 IPC.

The petitioner along with the other FIR named accused, Dipak Karmakar was arrested on 29.03.2023 and since then he is in custody.

Considering the period of detention in custody since 29.03.2023, the petitioner is seeking bail in said Doom Dooma P.S. Case No. 83/2023 registered under Section 370 IPC.

Mr. Goswami, learned Additional Public Prosecutor, Assam from the case diary submitted that all together 13 children were taken away by Dipak Karmakar from those villages, named above and handed over to the petitioner, who in turn handed over those children to different contractors at Arunachal Pradesh.

Mr. Goswami, learned Additional Public Prosecutor, Assam from the case diary also submitted that out of the 11 minor girls taken away by the petitioner and the other accused Dipak Karmakar, one of the minor girl is yet to be recovered.

Case diary reveals that the petitioner is involved in trafficking of minor children.

Finding sufficient incriminating materials in the case diary against the petitioner with regard to his involvement in the alleged crime and considering the gravity of offence, more particularly, his involvement in human trafficking relating to minor children by enticing them, the Court is not inclined

to grant bail to the petitioner, named above, in said Doom Dooma P.S. Case No. 83/2023, though he is in custody since 29.03.2023.

Accordingly, this bail application of the petitioner, Sri Deepjyoti Gogoi in said Doom Dooma P.S. Case No. 83/2023 stands rejected.

Return the case diary herewith.

JUDGE

Comparing Assistant