

GAHC010202862023



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

Case No. : Bail Appln./3300/2023

KUNGRI TAROPI
W/O SRI ASHOK BEY
R/O VILL- KARKOK BEY GAON
P.S. HOWRAGHAT
DIST. KARBI ANGLONG, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR.
REP. BY THE PP, ASSAM

2:SRI MONIRAM RONGHANG
S/O BARIM RONGHANG

VILL- SAR EK TERON GAON

P.S. DOKMOKA
DIST. KARBI ANGLON

Advocate for the Petitioner : MRS DIPANJALI BORPUJARI

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 008.11. 2023

Heard Ms. D. Borpujari, learned counsel for the petitioner and Ms. SH

Bora, learned Addl. Public Prosecutor for the State respondent No. 1

This is an application under Section 439 Cr.P.C., filed by the petitioner, namely Smti Kungri Taropi, seeking bail who was arrested on 10.07.2022 in connection with Dokmoka P.S. Case No. 14/2022 (Corresponding to POCSO Case No. 05/2023) under Section 370/ 34 IPC read with Section 6 of the POCSO Act, pending in the Court of the learned Sessions Judge/ Special Judge, Karbi Anglong, Diphu. .

It is submitted by the learned counsel for the petitioner that earlier bail was granted to the petitioner by the Court below on 08.12.2022 but she failed to produce the bailor as a result of which she be remained in custody and subsequently after submission of charge sheet, charge has been framed under Section 366/370/ 34 IPC and the offence under the POCSO Act has been dropped. It is further submitted that the petitioner has been in custody since 10.07.2022. Under such backdrop, the petitioner may be enlarged on bail.

On the other hand, the learned Addl. PP has made objection in granting bail to the petitioner till recording of statement of all the witnesses.

I have considered the submissions of the learned counsel for the parties. It is seen that bail was earlier granted to the petitioner but due to failure of production of bailor, the petitioner had to remain in jail hajot.

In view of the above, the petitioner be enlarged on bail.

Accordingly, it is directed that the accused/ petitioner above named be released on bail in connection with Dokmoka P.S. Case No. 14/2022 (Corresponding to POCSO Case No. 05/2023) under Section 366/370/ 34 IPC on furnishing a bond of Rs. 25,000/- (Rupees twenty-five thousand) with 1 (one) suitable surety of like amount to the satisfaction of the learned Sessions Judge/

Special Judge, Karbi Anglong, Diphu.

The direction for bail is further subject to the conditions that the accused-petitioner:

- (a) shall not leave the territorial jurisdiction of the learned Sessions Judge/ Special Judge, Karbi Anglong, Diphu without prior written permission from him/ her;
- (b) The learned Sessions Judge/ Special Judge may impose any other condition(s) which deems fit and proper at the time of releasing the petitioner on bail for procuring her attendance during trial.

In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant