

GAHC010008292024



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

Case No. : Bail Appln./133/2024

RASHID ALI
S/O JAYNAL ALI VILL. KOKILA MAJPARA PS. ABHAYAPUR DIST.
BONGAIGAON ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. S RANA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

23.01.2024

- 1.** Heard Mr. S. Rana, learned counsel for the accused petitioner. Also heard Mr. K.K. Parasar, learned Addl. P.P., Assam appearing for the State respondent.
- 2.** This is an application under Section 439 of the Code of Criminal Procedure, 1973 for granting regular bail to the accused petitioner, namely **Rashid Ali**, who was

arrested on 20.12.2023, in connection with **Abhayapuri P.S. Case No.547/2023** under Section **306** of the IPC.

3. The case of the prosecution, in brief, is that one minor girl, namely Miss. Jahida Parbin committed suicide in her house by hanging herself on 16.12.2023. By suspecting that she may have committed suicide for some cheating or abetment, an FIR was lodged which was registered. In connection with the aforesaid case, the petitioner, who is stated to be the brother-in-law, has been arrested.

4. By order dated 12.01.2024 the case diary was called for which has been received.

5. I have heard the submissions made at the bar and perused the case diary.

6. It appears from the case diary that the investigation is going on and the statement of the petitioner has already been recorded wherein he admits that he and the minor girl were in love with each other and that for last one month he was away at Tezpur for work.

7. Considering the gravity of the offence and the length of detention as well as the materials available on record, this Court is of the opinion that further detention of the accused petitioner may not be required.

8. Accordingly, it is provided that the accused petitioner, named above, shall be released on bail of **Rs.30,000/- (Rupees Thirty Thousand)** with one surety of like amount to the satisfaction of learned **S.D.J.M., North Salmara, Abhayapuri** subject to the following conditions-

- i) That the accused petitioner shall cooperate with the Investigating Officer as and when required;
- ii) That the accused petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Police Officer or the Court; and

iii) The accused petitioner shall refrain from such activities with which he is alleged, failing which, the bail order shall stand cancelled.

9. Return the case diary.

10. The bail application stands disposed off.

JUDGE

Comparing Assistant