

GAHC010010562024



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

Case No. : Bail Appln./194/2024

AZAD ALI @ AJAD ALI
S/O MD. AKBAR ALI MANDAL
R/O VILL- DAUKANAGAR
P.S. BONGAIGAON,
DIST. BONGAIGAON, ASSAM
PIN-783380

VERSUS

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

2:DHANJIT CHOUDHURY
S/O MR. BASANTA KR. CHOUDHURY
R/O BONPARA
WARD NO. 23
BACKSIDE OF LIC OFFICE

P.S. BONGAIGAON

DIST. BONGAIGAON
ASSAM
PIN-78338

Advocate for the Petitioner : MR. S C BISWAS

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 05.03.2024

Heard Mr. F. A. Hassan, learned counsel for the petitioner. Also heard Mr. R. R. Kaushik, learned Additional Public Prosecutor for the State respondent.

This is an application under Section 439 of the Code of Criminal Procedure, for grant of bail to the accused/petitioner, who has been arrested in connection with Bongaigaon P.S. Case No. 448/2023, under Section 376 of the Indian Penal Code *read with* Section 4 of the POCSO Act (corresponding GR Case No. 738/2023).

Mr. R. R. Kaushik, learned Additional Public Prosecutor, submits that though the case was listed today for production of the Case Diary before this Court, but the case has already been Charge-Sheeted, vide Charge-Sheet No. 05/2024, dated 28.01.2024.

In this context, Mr. F. A. Hassan, learned counsel for the petitioner, has submitted that the accused/petitioner may be allowed to appear before the learned Court below with a fresh application for bail.

Considering the submissions of learned counsels for both sides and also considering the fact that the case has already been Charge-Sheet, vide Charge-Sheet No. 05/2024, dated 28.01.2024, the accused/petitioner is hereby directed

to appear before the learned Court below with an appropriate application for bail, which shall be considered by the learned Court below in accordance with law.

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

JUDGE

Comparing Assistant