

GAHC010029872024



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

Case No. : AB/377/2024

ROFIQUL ISLAM @ ROFIQUL
R/O VILL- TANGVITA MAZARCHAR
P.O. MAZARCHAR,P.S. FAKIRGNAJ
DIST. DHUBRI, ASSAM
PIN-783325

2: IBRAHIM ALI
S/O LATE OMAR ALI
VILL - KUNTIRCHAR PART-II

P.O. FALIMARI

P.S. DHURI

DIST. DHUBRI
ASSAM
PIN-783325

3: AZAHAR ALI
R/O VILL- KUNTIRCHAR PART-II
P.O. FALIMARI
P.S. DHUBRI
DIST. DHUBRI
ASSAM
PIN-783325

4: MOKADDES ALI @ MOKADDES
S/O ANOWAR ALI
VILL- CHALAKURA PART-II

P.O. MAZARCHAR
P.S. FAKIRGANJ
DIST. DHUBRI
ASSAM

PIN-78332

VERSUS

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

2:OMAR ALI
S/O LATE OSMAN SK.
R/O VILL- BIRSHING PART-III
P.O. AND P.S. FAKIRGANJ

DIST. DHUBRI
ASSAM
PIN-78333

Advocate for the Petitioner : MR. A F N U MOLLAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 22.03.2024

Heard Mr.A.F.N.U. Mollah, learned counsel appearing for the petitioners. I have also heard Mr. R.J. Baruah, learned Additional P.P. for the State of Assam.

This is an application under Section 438 of the Cr.P.C. in respect of GR Case No. 140/2019 (arising out of Fakirganj P.S. Case No.07/2019) under Sections 120(B)/363/365/370/376(D) of the Indian Penal Code read with Section 6 of the POCSO Act, 2012.

The allegations brought against the petitioners is of gang rape upon a 16 year old girl.

I have gone through the scanned copy of the victim girl that was recorded under Section 164 of the Cr.P.C.

I have considered the submissions made by the learned counsel for both sides.

The petitioners are directed to appear before the trial court and file bail application

seeking bail. The trial court shall consider their bail application in accordance with the procedures laid down by law.

With the aforesaid direction, the bail application stands disposed off.

JUDGE

Comparing Assistant