

GAHC010033012024



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

Case No. : Bail Appln./467/2024

JAKARIYA CHOWDHURY
S/O FARAN CHOWDHURY
R/O VILL- BORBALI,
P.S. MURAJHAR,
DIST- HOJAI, ASSAM

VERSUS

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

2:FAIHMKA BEGUM
D/O NAJIM UDDIN
R/O VILL- DIGHALJHAR
P.S. MURAJHAR
DIST. HOJAI
ASSA

Advocate for the Petitioner : M U BARBHUYAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 08.04.2024

Heard Mr.F.K.R.Ahmed, learned counsel appearing for the petitioner. Also heard Mr.

B.Sarma, learned Additional P.P. for the State of Assam.

This is an application under Section 439 of the Cr.P.C. in respect of Special POCSO 120(H)/2023 arising out of Murajhar P.S. Case No.25/2023 under Section 366 of the Indian Penal Code read with Section 10 of POCSO Act.

It appears from the LCR that the trial Court had already examined 4 witnesses including the prosecutrix.

The petitioner has been in custody for the last 366 days.

This Court is of the opinion that by keeping the petitioner in custody for any further period of time during trial could not serve any purpose. Therefore, the bail prayer of the petitioner is allowed.

The petitioner Jakariya Chowdhury shall be released on bail of Rs.25,000/- with a surety of like amount to the satisfaction of the Special Judge, Hojai, Sankardev Nagar. The petitioner is directed to be present in the trial Court regularly till disposal of the case.

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

JUDGE

Comparing Assistant