

GAHC010037242024



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

**Case No. : AB/443/2024**

AKRUMA KHATUN  
W/O ANSAR ALI  
PERMANENT RESIDENT OF VILL- NO. 2 PUBER GAON  
P.S. MANKACHAR  
IN THE SOUTH SALMARA- MANKACHAR DISTRICT OF ASSAM

VERSUS

THE STATE OF ASSAM AND ANR.  
TO BE REP BY THE PP  
ASSAM

2:xxxxxxx  
xxxxxx  
R/O MOISHALDANGA  
P.O. PURANDIARA  
P.S.MANKACHAR

DIST. SOUTH SALMARA MANKACHAR  
ASSAM

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Advocate for : MR A W AMAN  
Advocate for : PP  
ASSAM appearing for THE STATE OF ASSAM AND ANR.

**BEFORE  
HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**Date : 19.03.2024**

Heard Mr. S. Das, learned counsel for the petitioner. Also heard Mr. D.P. Goswami, learned Additional Public Prosecutor for the State of Assam.

This is an application made under **Section 438 Cr.P.C.**, seeking pre-arrest bail by the petitioner, namely, **Akruma Khatun**, apprehending arrest in connection with **Mankachar P.S. Case No. 24/2024**, registered under Section **376(2)(n)/376(3)/ 317 IPC r/w Section 6 POCSO Act**.

Mr. Das, learned counsel for the petitioner submits that the petitioner has appeared before the Investigating Police Officer as per direction of this Court and her statement has already been recorded after she was granted interim protection. She has not misused the liberty granted to her; rather, she co-operates with the investigation of the case. Therefore, the privilege of pre-arrest bail granted to the petitioner may be made absolute.

Mr. Goswami, learned Additional Public Prosecutor for the State submits that the petitioner may appear before the investigating officer as and when called for. As the statement of petitioner has already been recorded by the investigating officer and as such, her custodial interrogation may not be required.

I have considered the submission made by the learned counsel for the parties and also perused the case diary.

It appears that the petitioner has not misused the liberty granted to her while availing interim protection. It is directed to the petitioner to appear before the investigating officer as and when called for.

Considering all, this Court is of the view that the petitioner deserves to be granted the privilege of pre-arrest bail.

Accordingly, the interim protection granted to the petitioner vide order dated 23.02.2024, is made absolute on the same terms and conditions, as reflected.

The petition stands disposed of accordingly.

Return the case diary.

**JUDGE**

**Comparing Assistant**