

GAHC010039032024



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

Case No. : AB/496/2024

RAKIBUL AMIN @ MD. REKIBUL ISLAM
S/O AMIR UDDIN
VILLAGE HAIDUBI, P.S. AND P.O. BATADRAVA, DIST- NAGAON, ASSAM
PIN-782122

VERSUS

THE STATE OF ASSAM
TO BE REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. D HUSSAIN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 12.03.2024

Heard Mr. D. Hussain, learned counsel for the applicant and Mr. B. Sarma, learned Additional Public Prosecutor for the State respondent.

2. Apprehending arrest in connection with Batadrava P.S. Case No. 175/2023, under Sections 363/356/34 of the IPC, this application under Section 438 of the

Code of Criminal Procedure, 1973, is preferred by applicant namely, Rakibul Amin @ Md. Rekibul Islam for grant of pre-arrest bail.

3. The aforementioned case has been registered on the basis of an F.I.R., lodged by one Ajufa Khatun, on 08.12.2023. The essence of allegation made in the FIR dated 08.12.2023, is that on 06.12.2023, one Rakibul Islam had kidnapped his daughter Smt. X (name withheld), aged 17 and ½ years, while she was returning home from the school and kept her concealed in an unknown place. Further, Rakibul Islam and one Amir Uddin also kidnapped her daughter in the month of January and somehow, she managed to recover her on that occasion.

4. Mr. B. Sarma, the learned Addl. Public Prosecutor submits that he has not received the case diary, but as per his instruction, the I.O. has completed investigation and laid charge-sheet, being charge-sheet No. 14/2024, dated 29.02.2024, against the present applicant.

5. In view of the above, this Court is inclined to dispose of this application by directing the applicant to appear before the learned Court below on or before 08.04.2024, and to apply for regular bail and in the event of filing such an application, the learned Court below shall consider the same in accordance with law.

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

JUDGE

Comparing Assistant