

GAHC010043042024



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

Case No. : Bail Appln./573/2024

ASHIKUR RAHMAN @ ASHIK IKBAL
S/O HABIBUR RAHMAN
RESIDENT OF VILLAGE BATAGHAT, TAMULITUP, PS RUPAHIHAT, DIST
NAGAON, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP ASSAM

Advocate for the Petitioner : MR S PRODHANI

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 13-03-2024

Heard Mr. AM Khan, learned counsel for the petitioner as well as Mr. BB Gogoi, learned APP for the State.

2. The petitioner, namely, Ashikur Rahman @ Ashik Ikbal who was

arrested on 31.01.2024 in connection with Hatigaon PS case no.16/2024 under sections 387 IPC read with section 67(E)/67(A) of the IT Act is seeking regular bail by filing this application under section 439 Cr.P.C.

3. The learned counsel for the petitioner submits that the petitioner is the husband of the informant. The allegation against the petitioner is that he uploaded some objectionable photographs of the informant in her Facebook account as a result of which the FIR has been instituted. Subsequently, the matter has been resolved between the parties.

4. In view of the above and considering the length of detention, bail may be granted to the petitioner.

5. On the other hand, the learned APP has stated that some misunderstanding arose between the husband and wife regarding uploading of some obscene photographs of the informant in her facebook account.

6. I have considered the submission and I have also perused the case diary which reveals that the further custodial interrogation of the petitioner is not required for the purpose of investigation of the case.

7. In view of the above, this Court is inclined to release the petitioner, named above, on bail on furnishing a bail bond of Rs.30,000/- (Rupees thirty thousand only) with one suitable surety of the like amount to the satisfaction of the learned CJM, Kamrup (Metro), Guwahati.

8. The direction for bail is further subject to the conditions that the accused petitioner:

1. Shall not leave the territorial jurisdiction of learned CJM, Kamrup (Metro), Guwahati without prior written permission from him/ her.
2. Shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

9. Return the case diary.

10. Bail application stands disposed of.

JUDGE

Comparing Assistant