

GAHC010049252024



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

Case No. : Bail Appln./708/2024

GOLAP HUSSAIN
S/O MOHAR ALI, R/O HATIGAON LNB PATH, BYE LANE-4, H/NO. 4, P.S.-
HATIGAON, DIST- KAMRUP (M), ASSAM, PERMANENT ADD- VILL-
SRIRAMPUR, NEAR DAMBRAPARA, DIST- KOKRAJHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR M CHOUDHURY

Advocate for the Respondent : PP, ASSAM

B E F O R E
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI
ORDER

20.03.2024

Heard Mr. M. Mondal, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned APP, Assam for the State respondent.

This is an application under Section 439 of CrPC, 1973 for release on bail of the accused/petitioner i.e. Golap Hussain, who was arrested on 21.02.2024 in connection with Paltan Bazar PS Case No. 56/2024 registered under Section 366 IPC.

The case of the prosecution is that on 19.02.2024 at about 6:30 pm, the petitioner took his daughter with him by giving some false assurance and since then her mobile phone was found switched off.

Mr. P. Borthakur, learned APP submits that in the meantime charge sheet has been submitted vide CS No. 47/2024 dated 26.02.2024.

I have heard the submissions made at the bar and I have perused the materials available on record.

It appears from the forwarding Report dated 21.02.2024 enclosed as annexure 2 to the bail application that the victim girl has in the meantime been recovered.

It also appears that the statement of the victim has also been recorded. It further appears that the investigation of the case is completed. It further appears that there is nothing adverse with regard to the antecedent of the petitioner.

As such, this Court is of the considered view that further detention of the petitioner may not be required. Accordingly, it is provided that the petitioner named above is allowed to go on bail in connection with the above noted case with a bail bond of Rs. 30,000/- with one surety of like amount to the satisfaction of the Chief Judicial Magistrate, Kamrup(M), subject to the following conditions:-

(i) That the petitioner shall co-operate with the investigation.

(ii) That the petitioner shall not, directly or indirectly made 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; and

(iii) That the petitioner shall refrain from committing any similar offences in future of which he is accused or suspected of commission.

With the above observations and directions, the Bail Application stands disposed of.

JUDGE

Comparing Assistant