

GAHC010050412024



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

Case No. : Bail Appln./712/2024

ROJIT ALI @ SAHIL AHMED @ ROJITULLA
S/O MD. IDRISH ALI, R/O VILL- RAUNAPUR, P.S.-NORTH LAKHIMPUR, P.O.-
HATILUNG, DIST-LAKHIMPUR, ASSAM, PIN-787031

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:SAJIDA BEGUM
W/O MD ATIQUL ALI
R/O SENSUWA GAON
PANIGAON
P.S.-PANIGAON
DIST-LAKHIMPUR
ASSAM
PIN-787052

2:Sajida Begum
WIFE OF-MD. ATIQUL ALI RESIDENT OF SENSUWAGAON
P.S- PANIGAON PIN-787052 DISTRICT- LAKHIMPUR
ASSA

Advocate for the Petitioner : MR. T DEURI

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

ORDER

12.06.2024

Heard Mr. T. Deuri, the learned counsel for the petitioner. Also heard Mr. B. Sarma, learned Additional Public Prosecutor for the State of Assam.

This is an application made under Section 439 Cr. P.C. seeking bail by the accused/petitioner, namely, **Rojit Ali @ Sahil Ahmed @ Rojitulla** who was arrested on 06.06.2020 in connection with Special (POCSO) Case No. 35/2022 registered under Section 376(2)(i) of IPC read with Section 4 of POCSO Act arising out Panigaon P.S. Case No. 38/2020.

Scanned copies of the record of Special (POCSO) Case No. 35/2022 registered under Section 376(2)(i) of IPC read with Section 4 of POCSO Act and case diary of Act arising out Panigaon P.S. Case No. 38/2020 is received. Perused the same.

Perused the statement of the victim recorded under Section 164 of Cr.P.C. and under Section 161 of Cr.P.C. Also the statements of other witnesses recorded by the I.O. The victim has specifically implicated the accused. The victim is not yet been examined by the prosecution in the trial.

There are sufficient incriminating materials against the present petitioner.

Considering the nature of material collected by the I.O., as well as the gravity of the offence, this Court is of the view that the petitioner has not been able to make out a case for grant of bail.

Accordingly, this bail application is dismissed.

JUDGE

Comparing Assistant