

GAHC010057072024



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

Case No. : Bail Appln./795/2024

HAKIM ALI @ HAKIM UDDIN
S/O SAYED ALI
R/O CHENIMARI, UTTAR RAMPUR
P.S. KALGACHIA
DIST. BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. S MUNIR

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA
ORDER**

04.04.2024

Heard Mr. S. Munir, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State respondent.

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973, praying for grant of bail to the accused/petitioner, who has been languishing in jail hazot since 11.03.2024 in connection with Mererchar P. S. Case No.16/2024 under Sections 417/366(A) of the Indian Penal Code.

The case was listed today for production of the Case Diary before this Court, however, Mr. Borthakur, learned Additional Public Prosecutor has submitted that the I.O. has already filed Charge-Sheet in this case, vide Charge-Sheet No. 13/2024, dated 31.03.2024.

In this regard, Mr. Munir, learned counsel for the petitioner submits that at the time of the incident, the accused/petitioner was a juvenile and in this regard, he also submitted one Birth Certificate issued by the concerned authority. Accordingly, he prays for a direction to consider the plea of juvenility by the learned Trial Court below.

Considering the submissions made by the learned counsels for both sides and also considering the fact that the case has already been Charge-Sheet, vide Charge-Sheet No. 13/2024, dated 31.03.2024, it is provided that the petitioner shall appear before the appropriate forum and on his appearance and on his filing a petition for grant of regular bail, the learned Court below shall consider the plea of juvenility of the accused/petitioner and shall pass a necessary order in accordance with law.

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

JUDGE

Comparing Assistant