

GAHC010060032024



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

Case No. : AB/777/2024

SUKUR ALI
S/O NAHAR ALI, R/O VILL- BATABARI, P.O.-BALABARI, P.S.-DHULA, DIST-
DARRANG, ASSAM, PIN NO. 784146

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. A CHOUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

26.04.2024

Heard Mr. S Islam, learned counsel for the petitioner. Also heard Mr. BB Gogoi, learned Additional Public Prosecutor, Assam.

This is an application under Section 438 Cr.P.C., praying for grant of pre-arrest bail to the petitioner, Sukur Ali in connection with PRC No. 175/2021 arising out of Dhula PS case No. 412/2019 under Section 366 IPC.

This court under its order dated 19.04.2024 called for the scanned copy of the record along with case diary as during the pendency of the present application, the charge-sheet was filed.

Perused the case diary along with statement of the victim recorded under Sections 161 Cr.P.C and 164 Cr.P.C.

Considering the statement made by the victim, this court is of the view that the petitioner has made out a case for grant of anticipatory bail. Accordingly, this application stands allowed and accordingly, it is provided that in the event of arrest, the petitioner namely, Sukur Ali shall be allowed to go on pre-arrest bail on furnishing a bond of Rs. 20,000/- with one local surety of like amount to the satisfaction of the learned committal court on the conditions that:

- I. The petitioner shall appear before the learned committal court on 29.04.2024,
- II. The petitioner 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 them from disclosing such facts to the Court or to any police officer,

Bail application stands disposed of. It is made clear that the learned committal court may impose any other conditions, as it deem fit.

JUDGE

Comparing Assistant