

GAHC010065702024



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

Case No. : AB/834/2024

AZIZUL HOQUE
S/O ABDUL RAHMAN, R/O VILL-BORBHILA PART-I (GHILARPAR), P.S-
DHUBRI, P.O.-HAWRARPAR, DIST-DHUBRI, ASSAM, PIN-783324

VERSUS

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

2:SMTI SALMA BIBI
W/O ABDUL KASHEM
R/O VILL- BORBHILA PART-I
P.S.-DHUBRI
P.O.-HAWRARPAR
DIST- DHUBRI
ASSAM
PIN-78332

Advocate for the Petitioner : MD. S ALOM

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 27.06.2024

Heard Mr. S. Alom, learned counsel for the petitioner. Also heard Mr. M. P. Goswami, learned Additional Public Prosecutor appearing on behalf of the State respondent.

This is an application under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail to the petitioner in connection with Dhubri P.S. Case No. 14/2024 (G.R. Case No.54/2024) alleging an offence under Section 376(3) of the Indian Penal Code *read with* Section 6 of the POCSO Act, 2012.

The case was listed today for production of the Case Diary before this Court, however, Mr. Goswami, learned Additional Public Prosecutor has submitted that the I.O. has already filed Charge-Sheet in this case, vide Charge-Sheet No.124/2024, dated 30.03.2024.

In this regard, Mr. Alom, learned counsel for the petitioner submits that they want to move an application for regular bail before the learned Trial Court and that the petitioner will appear before the learned Court below and will participate in the trial.

Considering the submissions of learned counsels for both sides and also considering the fact that the case has already been Charge-Sheet, vide Charge-Sheet No.124/2024 dated 30.03.2024, it is provided that the petitioner shall

appear before

the learned Court below and on his appearance and on his filing a petition for grant of regular bail, the learned Court below shall consider the same in accordance with law.

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

JUDGE

Comparing Assistant