

GAHC010074112024



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

Case No. : Bail Appln./1056/2024

ABDULLAH ANSARI
SON OF ABDUL MAJID MOULANA, RESIDENT OF DALGAON KHUTI, P.S-
DALGAON, DISRICT- DARRANG, ASSAM PH- 9954684695

VERSUS

THE STATE OF ASSAM AND ANR.
REP BY THE PP, ASSAM

2:ASMA KHATUN
D/O- AJIJUR RAHMAN
R/O- NO.1 MAJGAON
P.S- DALGAON
DIST- DARRANG(ASSAM)
PIN- 78451

Advocate for the Petitioner : MR D MEDHI
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

03.05.2024

Heard Mr. K. Thakur, learned counsel appearing for the accused petitioner as well as Mr. D. Das, learned Addl. P.P., Assam appearing for the State respondent.

By this petition under Section 439 Cr.P.C., the accused-petitioner, namely, **Abdullah Ansari**, has prayed for grant of bail in connection with **Dalgaon P.S. Case No.25/2024**

under Sections **376/325/307 IPC R/W Section 6 of POCSO Act.**

Case diary is received but notice has not been served to the respondent No.2.

It is submitted by the learned counsel for the petitioner that the accused petitioner has been languishing in judicial custody for last 86 days since his arrest on 07.02.2024. He further submitted that the allegation against the petitioner is totally false and concocted and prayer for bail, considering the length of detention.

Mr. D. Das, learned Additional Public Prosecutor has produced the case diary and submits that the petitioner is the father of the victim and he sexually abused his daughter which has been reflected in the statement of the victim recorded under Section 164 Cr.P.C.. He further submitted at this stage, bail may not be granted to the petitioner.

I have considered the submission made by the learned counsel for both the parties, also perused the 164 Cr.P.C. statement of the victim where she clearly stated that his father used to torture her both physically as well as mentally. It is also alleged that in each and every night his father sexually abused her.

In view of the above, as there is sufficient incriminating material against the petitioner, this Court is not inclined to grant bail to the petitioner.

Accordingly, bail prayer of the petitioner stands rejected.

Return the case diary.

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

JUDGE

Comparing Assistant