

GAHC010079712024



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

Case No. : Bail Appln./1158/2024

SHOMESH UDDIN
S/O- ABUL HUSSAIN, VILLAGE- RAJAPUKHURI BAGISA, P.S.
CHAMUAKHAT, DIST.- DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP ASSAM

Advocate for the Petitioner : MR. S K SINGHA

Advocate for the Respondent : PP, ASSAM

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

ORDER

23.04.2024

Heard Mr. N. C. Das, learned counsel for the petitioner. Also heard Mr. D. Das, 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, **Shomesh Uddin**, who was arrested on 05.04.2024 in connection with Fatasil Ambari P.S. Case No. 122/2024 registered under Section 366 of IPC.

Mr. Das, learned Additional Public Prosecutor for the State of Assam has vehemently objected the prayer of the petitioner to grant bail.

From the materials available on record, it is seen that the girl has already been recovered and on the date of offence, she was aged about 17 years 11 months 26 days and the boy is aged about 18 years.

Considering the matter in entirety and also considering the period of detention, this Court is of the considered opinion that the further custodial interrogation of the accused/petitioner shall not be required for the purpose of investigation.

Accordingly, it is directed that the petitioner, named above, be released on bail in connection with the case aforementioned, on his furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one surety in the like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (Metro), with the following conditions.

- (a) Shall not leave the territorial jurisdiction of learned Chief Judicial Magistrate, Kamrup (Metro), without prior written permission from him/her;
- (b) Shall not hamper with the investigation of the case and tamper with the evidence of the case;
- (c) 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 him from disclosing such facts to the Court or to any police office.

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

JUDGE

Comparing Assistant