

GAHC010081942024



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

Case No. : AB/1049/2024

SAJID HUSSAIN
S/O TABJUL HUSSAIN
RESIDENT OF DWARANDHA SIX MILE, DISPUR, GUWAHATI , DIST
KAMRUP M ASSAM

VERSUS

THE STATE OF ASSAM
REP BY PP ASSAM

Advocate for the Petitioner : MR T MAZUMDAR

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

22.05.2024

Heard Mr T Mazumdar, learned counsel for the petitioner, Sajid Hussain.

2. The petitioner has filed this application under Section 438 CrPC, with prayer for pre-arrest bail, as he is apprehending arrest in connection with Jalukbari PS Case No. 91/2024, under Sections 313/323/376/406/506 IPC.

3. Heard Mr D Das, learned Additional Public Prosecutor for the State of Assam/respondent.

4. The allegation against the petitioner is that the victim got acquainted with the petitioner through Instagram and a friendship developed between them. The petitioner induced the victim to have physical relationship with him with false promises of marriage. He also administered alcohol to the victim, which was mixed with fruit juice and he impregnated her twice, once in the year 2022 and once in the year 2023. He also administered medicine for forceful abortion.

5. I have considered the submissions at the Bar. I have also scrutinized the Case Diary.

6. The petitioner was granted interim bail vide order dated 24.04.2024. The petitioner has not violated the bail conditions. He has appeared before the IO and has cooperated with the investigation.

7. The petitioner is a local resident and he is not a flight risk. The petitioner's statement has been recorded.

8. Considering all aspects and in view of my foregoing discussions, the interim bail order dated 24.04.2024, is hereby made absolute.

10. Bail Application stands disposed of.

11. Send back the Case Diary.

JUDGE

Comparing Assistant