

GAHC010081962024



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

Case No. : Bail Appln./1187/2024

MONDOL ALI @ SAFIKUL ALI @ MANDAL
S/O LATE MOHIBUL HOQUE
R/O SHAH NAGAR, GREEN PATH
P.S. HATIGAON
DIST. KAMRUP (M), ASSAM

VERSUS

RUMI BEGUM AND ANR.
W/O SAMSUL ALI
R/O SHAH NAGAR,
GREEN PATH
P.S. HATIGAON
DIST. KAMRUP (M), ASSAM

2:THE STATE OF ASSAM
TO BE REP. BY THE LEARNED PP
ASSA

Advocate for the Petitioner : MR. S M MOLLAH

Advocate for the Respondent : PP, ASSAM

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
ORDER

31.05.2024

Heard Mr. SM Mollah, learned counsel for the petitioner. Also heard Mr. KK Parasar, learned Additional Public Prosecutor, Assam.

This is an application filed under Section 439 Cr.P.C. praying for granting regular bail to the petitioner, Mondol Ali @ Safikul Ali @ Mandal, who was arrested on 27.03.2024 in connection with Dispur PS case No. 262/2024 under Section 328/376 IPC read with Section 4/8 of POCSO Act, 2012.

The learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case.

Case diary as called for has been received.

After perusal of the case diary, this court has not found any sufficient incriminating material for further custodial interrogation of the petitioner inasmuch as the stage of investigation do not warrant further custody of the petitioner. Accordingly, the present application is allowed.

It is directed that the applicant be released on bail on his furnishing a bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety of the like amount to the satisfaction of the learned Special Judge (POCSO), Kamrup (M) with the following conditions.

- (1) The petitioner shall not hamper with the investigation, or tamper with the evidence of the case,
- (2) The petitioner shall not repeat similar offence in future;
- (3) 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,
- (4) The petitioner shall appear before the I/O on each and

every date as and when called for.
Bail application stands disposed of.

JUDGE

Comparing Assistant