

GAHC010090362024



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

Case No. : Bail Appln./1327/2024

PAI TAYENG
S/O- LATE TAGE TAYENG,
R/O- VILL- DETAK, P.O. AND P.S. ZIRO, PIN- 791120, DIST. LOWER
SUBANSIRI, ARUNACHAL PRADESH.

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE P.P., ASSAM

Advocate for the Petitioner : MR. A PAUL

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 03-06-2024

Heard Mr. A. Paul, learned counsel for the petitioner Pai Tayeng.

2. The petitioner has filed this application under Section 439 of the Code of Criminal Procedure, 1973 as he is behind bars since 23.12.2023 in connection with Sessions Case No. 44/2024 arising out of Tamulpur Police Station Case No.

206/2023 registered under Sections 363/370 (4) of the Indian Penal Code, 1860.

3. Heard Ms. A. Begum, learned Additional Public Prosecutor, Assam for the respondent State, who has raised serious objection stating that the petitioner is not entitled to bail as he has committed a grave offence of trafficking of minor girls as young as 9 (Nine) years of age.

4. I have considered the submissions at the bar with circumspection.

5. The FIR unfolds that two victims 'X' and 'Y' were kidnapped by the accused Romeo. It is submitted at the bar that the victims were handed over to work as domestic help but 'X' was returned home and finally 'Y' was recovered.

6. The learned Additional Public Prosecutor has submitted that charges have not been framed and there is every possibility that trial may be adversely affected if the petitioner is at large.

7. The learned counsel for the petitioner has submitted that the petitioner is willing to abide by any stringent conditions if imposed upon him.

8. Considering the submissions at the bar and considering all aspects, petition is allowed.

9. The petitioner is enlarged on bail on furnishing a bail bond of *Rs.50,000/- (Rupees Fifty Thousand)* with a suitable surety of like amount to the satisfaction of the learned Sessions Judge, Baksa under the conditions that:

The learned Sessions Judge may impose any condition to secure the attendance of the petitioner.

10. In the above terms and conditions, this Bail Application stands disposed

of.

JUDGE

Comparing Assistant