

GAHC010092172024



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

Case No. : Bail Appln./1362/2024

JITEN BARMAN
S/O SRI PRAMESWAR BARMAN
R/O NOITAMARA PT.II
P.S. AND DIST. BONGAIGAON, ASSAM

VERSUS

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

2:SMTI. JONAKI BARMAN
W/O SRI ARUN BARMAN
R/O NOITAMARA PART-II
P.S. AND DIST. BONGAIGAON
ASSAM
PIN-78338

Advocate for the Petitioner : MR P KATAKI, MS. A LALA, MRS R BEGUM, MS S BARPUJARI

Advocate for the Respondent : PP, ASSAM, MR. SURAJIT DAS, (AMICUS CURIAE R2)

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

25-10-2024

Heard Mr. P. Kataki, learned counsel for the petitioner and Mr. K.K. Parashar, learned Additional Public Prosecutor, Assam for the respondent No. 1. Also heard Mr. S. Das, learned Amicus Curiae for

the informant/respondent No. 2.

2) Perused the case record of Special (POCSO) Case No. 01(Bongaigaon)/2024, arising out of Bongaigaon Police Station Case No. 399/2023 as directed earlier by the Court on 14.05.2024.

3) During the deliberation of the matter, it is submitted by both Mr. Kataki, learned counsel for the petitioner as well as Mr. Parashar, learned Additional Public Prosecutor, Assam that the trial of said Special (POCSO) Case No. 01(Bongaigaon)/2024, arising out of Bongaigaon Police Station Case No. 399/2023 is pending and that in the meanwhile, the evidence of the prosecution witnesses have already been recorded and 05.11.2024 is the date fixed for argument on behalf of the defence.

4) At this stage, Mr. Kataki, learned counsel for the petitioner, fairly submitted that any such order passed by the Court in this bail application of the petitioner from the record of the case may hamper in the trial of the case.

5) For the reasons above, on instruction of the petitioner, Mr. Kataki, learned counsel, is not pressing this bail application.

6) Accordingly, this bail application of the petitioner being not pressed, stands dismissed.

JUDGE

Comparing Assistant