

GAHC010093972024



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

Case No. : Bail Appln./1367/2024

BALO ADAM
W/O PABITRA PEGU
VILL- POKONIA, GARCHIGA
P.S. NORTH LAKHIMPUR
DIST. LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MAHIBUR RAHMAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 28-05-2024

Heard Mr. M. Rahman, learned counsel for the petitioner Balo Adam.

2. The petitioner has filed this application under Section 439 of the Code of Criminal Procedure, 1973 (CrPC for short) with a prayer for bail as he is behind

bars since 04.04.2024 in connection with Laluk Police Station Case No.49/2024 under Sections 370/37 of the Indian Penal Code, 1860 (IPC for short) (GR No. 247/2024).

3. Heard Mr. B.B. Gogoi, learned Additional Public Prosecutor, Assam for the respondent State.

4. The allegation against the petitioner is that he sold the victim to a person at Arunachal Pradesh and the victim was coerced to work as a domestic help in his house.

5. Case Diary was called for but the Case Diary is not received.

6. I have considered the submissions at the bar the petitioner has been behind bars for 54 (Fifty Four) days. It appears that investigation may have presumably progressed to some extent. The petitioner has pledged to cooperate with the remaining part of investigation. The petitioner is a local resident and he is not a flight risk.

7. Considering the submissions at the bar and in view of my foregoing discussions, petition is allowed.

8. 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 Eleka Magistrate, Lakhimpur under the conditions that:

(i) *The petitioner shall refrain from such activities with which he is alleged.*

(ii) *The petitioner shall not leave the jurisdiction of the jurisdictional Court without prior permission till completion of investigation.*

9. On breach of any of the bail conditions, bail order shall stand cancelled.

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

JUDGE

Comparing Assistant