

GAHC010096752024



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

Case No. : Bail Appln./1413/2024

MOKLES ALI
S/O MONOWAR HUSSAIN
VILL- GOLAPARA PT.III (EAST)
P.O. GOLAPARA, P.S. ABHAYAPURI
DIST. BONGAIGAON, ASSAM
PIN-783384

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. S AHMED

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 24-05-2024

Heard Mr. S Ahmed learned counsel for the petitioner. Also heard Mr. M P Goswami learned Addl. PP, State of Assam.

This application under section 439 Cr.P.C is preferred by

accused namely **Mokles Ali** who has been languishing in jail hazot in connection with the **Abhayapuri PS Case No.116/2024** under section 365 IPC for granting bail.

The petitioner was arrested on 05.05.2024 and since then he is in custody. In the meantime the I/O has filed an application for adding section 376 IPC inasmuch the case was registered earlier under section 365 IPC.

From the statement of the victim it is seen that the victim is 18 years of age and she had a relation with the accused and accordingly she eloped with the accused and had physical relation.

Be that as it may, considering the period of detention and the materials so far collected by the I.O, this court is of the view that further custodial detention of the petitioner may not be necessary. Accordingly it is directed that the petitioner, above named, in connection with the aforementioned case be released on bail on his furnishing a bond of Rs.30,000/- (Rupees thirty thousand only) with one solvent surety of the like amount to the satisfaction of the learned SDJM, North Salmara with the following conditions:

I. The petitioner shall not leave the territorial jurisdiction of the aforesaid police station without prior written permission from its officer in charge;

II. The petitioner shall not hamper with the investigation of the case and tamper with the evidence of the case;

III. 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.

In terms of the above, this bail application stands disposed of.

JUDGE

Comparing Assistant