

GAHC010097102024



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

Case No. : AB/1249/2024

SAIRUDDIN ALI @ SAIRUDDIN AHMED
S/O - SAMSER ALI, R/O VILL - NO 2 CHAKARMUKH, PO - SIPAJHAR, PS -
SIPAJHAR, DISTRICT - DARRANG, ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR.
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:SAJINA BEGUM
D/O - RAMUK ALI
R/O JAYANTIPUR
SIPAJHAR
DISTRICT - DARRANG ASSAM

Advocate for the Petitioner : MR D KALITA

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 05-06-2024

1. Heard the learned counsel for the parties.
2. By this application under Section 438 Cr.P.C., the applicant,

namely, ***Sairuddin Ali @ Sairuddin Ahmed*** has prayed for pre arrest bail apprehending arrest in connection with ***Sipajhar PS Case No.49/2024*** under section 8 of the Protection of Children from Sexual Offences Act, 2012.

3. Case diary called for is received and perused the same.
4. The information on the basis of which the connected case was registered, inter alia, reveals that on 29.04.2024 at around 04:00 PM, when the daughter of the informant, aged about 13 years, went out from her home for purchasing books, the accused/petitioner with the help of other co-accused dragged her into their Maruti car and tried to outrage her modesty. When the girl raised hue and cry, the local people gathered there and the accused persons were fled away.
5. During the course of investigation, the statement of the victim girl was recorded under Section 164 of Cr.P.C. The victim is aged about 13 years and she had specifically implicated the present petitioner as well as the other co-accused named in the FIR.
6. Considering the aforesaid materials, this Court is of the view that the petitioner is not entitled for privilege of pre-arrest bail. Accordingly, the present application stands dismissed.
7. The case diary be returned back.

JUDGE

Comparing Assistant