

GAHC010105032024



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

Case No. : AB/1364/2024

ANUJ AHMED
S/ONASIRUDDIN AHMED
R/O NO. 2 BARUA PATHAR,
P.O. BARUA PATHAR,
P.S. BOKO,
DIST. KAMRUP, ASSAM
PIN-781136

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MS. S BHUYAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 28-05-2024

Heard Ms. S. Bhuyan, learned counsel for the petitioner Anuj Ahmed.

2. The petitioner has filed this application under Section 438 of the Code of

Criminal Procedure, 1973 (CrPC for short) with a prayer for pre-arrest bail as he is apprehending arrest in connection with Dudhnoi Police Station Case No. 33/2024 under Sections 366 of the Indian Penal Code, 1860 (IPC for short).

3. Heard Mr. R.R. Kaushik, learned Additional Public Prosecutor, Assam for the respondent State.

4. The Case Diary of this case has been forwarded in connection with AB No. 1187/2024.

5. It is submitted at the bar that the victim had a love relationship with the petitioner and she went with the petitioner on her volition. A false case has been slammed against the present petitioner as the victim's parents do not approve of the victim's relation with the petitioner. The petitioner has also applied for registration of his marriage with the victim. Annexure-3 is the application acknowledgment.

6. I have considered the submissions at the bar with circumspection. I have also scrutinized the Case Diary.

7. Investigation has progressed to a considerable extent. It appears that custodial interrogation may not be required for the progress of investigation. The petitioner is a local resident and he is not a flight risk. The petitioner has pledged to cooperate with the investigation.

8. Considering all aspects and in view of my foregoing discussions, petition is allowed.

9. In the interim and in the event of his arrest, the petitioner shall be 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

arresting authority.

10. In the above terms and observation, this Anticipatory Bail application stands disposed of.

11. Send back the Case Diary.

JUDGE

Comparing Assistant