

GAHC010108692024



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

Case No. : Bail Appln./1581/2024

KRISHNA KAMAL SAIKIA
S/O DHIREN CHANDRA SAIKIA ALIAS DHIREN SAIKIA,
R/O VILL- SUPOHIBARI, P.S. GOHPUR, P.O. KALABARI, DIST. BISWANATH,
ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. K BORUAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 03-06-2024

Heard Mr. K. Boruah, learned counsel for the petitioner Krishna Kamal Saikia.

2. The petitioner has filed this application under Section 439 of the Code of Criminal Procedure, 1973 with a prayer for bail as he is behind bars since 16.05.2024 in connection with Gohpur Police Station Case No. 69/2024 under

Sections 420/493 of the Indian Penal Code, 1860.

3. Heard Ms. S. Jahan, learned Additional Public Prosecutor, Assam for the respondent State.

4. The FIR unfolds that the petitioner induced the victim with false promise of marriage to get into a relationship with him. The victim was impregnated and the petitioner advised her for abortion. The petitioner had secured employment and thereafter, he started avoiding the victim and he refused to marry her.

5. I have considered the submissions at the bar with circumspection.

6. I have considered the submission that the petitioner is a Government employee and he is willing to cooperate with the remaining part of investigation. He is behind bars for 18 (Eighteen) days. Investigation may have presumably progressed to some extent. The petitioner is a local resident and he is not a flight risk.

7. Considering all aspects, petition is allowed.

8. The petitioner is enlarged on bail on furnishing a bail bond of *Rs.30,000/- (Rupees Thirty Thousand)* with a suitable surely of like amount to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Gohpur under the condition that:

The petitioner shall not leave the jurisdiction of the Court without prior permission till completion of investigation, failing which bail order shall stand cancelled.

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

JUDGE

Comparing Assistant