

GAHC010111552024



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

Case No. : Bail Appln./1625/2024

NABAJYOTI BARMAN
S/O MUKUNDA BARMAN
R/O KHATA, DHAMDHAMA
P.S. NALBARI, DIST. CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. U K BARMAN
Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

14.06.2024

Heard Mr. R. Konwar, learned counsel appearing for the petitioner. Also heard Mr. B.B. Gogoi, learned Additional Public Prosecutor, Assam, appearing for the opposite party.

This Bail Application under section 439 of the CrPC has been filed by the petitioner, namely, Nabajyoti Barman, with the prayer to grant bail as he has been behind bars since 25.05.2024 in connection with Garchuk Police Station Case No. 151/2024, registered under Section 366 of the IPC.

The allegation against the petitioner is that he kidnapped the minor victim "X" and kept her in wrongful confinement.

It is submitted on behalf of the petitioner that the petitioner is not involved in kidnapping of the victim and the victim voluntarily went away with the petitioner as she had a love affair with the petitioner. It is also submitted that the victim was 17 years old at the time of the incident. It is further submitted that the petitioner is willing to cooperate with the remaining part of the investigation of the case and also to abide by any stringent condition(s) that may be imposed by this Court while granting bail.

I have perused the Case Diary and the materials available on record.

The Case Diary reveals that the investigation has progressed to a considerable extent and it appears that further custodial detention of the petitioner may not be necessary.

In view of the above and considering the fact that the petitioner is willing to cooperate with the investigation of the case and also to abide by any stringent condition(s) that may be imposed by this Court while granting bail, this Court is inclined to grant bail to the petitioner.

Accordingly, this Bail Application is allowed. The petitioner is directed to be enlarged on bail of Rs. 50,000/-, with one surety of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (Metro).

Bail Application stands disposed of.

Send back the Case Diary.

JUDGE

Comparing Assistant