

GAHC010111962024



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

Case No. : Bail Appln./1633/2024

RAFIKUL ISLAM @ ROFIQUL ALI
S/O MOHAMMOD HUSSAIN @ MAHAMMAD, R/O VILL- BETHAGAON, P.O.-
BASHBARI, P.S. AND DIST-KOKRAJHAR, ASSAM, PIN-783337

VERSUS

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

2:JALKUMA BIBI
W/O SANOWAR SK
R/O VILL- BETHAGAON
NALBARI, P.O.-BASHBARI
P.S.-KOKRAJHAR
DIST- KOKRAJHAR
ASSAM, PIN-78333

Advocate for the Petitioner : MR G CHAMUAH

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MRS. JUSTICE SUSMITA PHUKAN KHAUND
ORDER

12.06.2024

Heard Mr G Chamuah, learned counsel for the petitioner, Rafikul Islam @ Rofiquel Ali, who has filed this application under Section 439 of the Code of Criminal Procedure, 1973, with prayer for bail, as he is behind bars since 05.03.2024, in connection with

Kokrajhar PS Case No. 28/2024, corresponding to GR Case No. 52/2024, registered under Sections 109/376 IPC.

3. Heard Ms S Jahan, learned Additional Public Prosecutor for the State of Assam.
4. I have considered the length of detention as the petitioner is behind bars for 100 days and as charge sheet has not been submitted.
5. Petition is thus allowed.
6. The petitioner is enlarged on bail of Rs. 50,000/-, with a suitable surety of the like amount to the satisfaction of the learned CJM, Kokrajhar, under the conditions that-
 - i) the petitioner shall not go near the vicinity of the victim, and
 - ii) the petitioner shall not exercise threats to the witnesses.

On breach of any of the bail conditions, bail order shall stand cancelled.

7. Bail Application stands disposed of.

JUDGE

Comparing Assistant