

GAHC010113432024



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

Case No. : AB/1495/2024

NARAYAN DEBANATH
S/O SRI PRADIP DEBANATH, VILL- KHUDRA KATALA BORKUCHI, P.O.-
MILANPUR, P.S.-NALBARI, DIST-NALBARI, ASSAM, PIN-781337

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. S BARMAN

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

24.06.2024

1. Heard learned counsel Mr. S. Barman for the petitioner, Narayan Debanath.
2. This application has been filed by the petitioner under Section 438 of the Cr.PC with prayer for pre-arrest bail in connection with P.R.C. Case No. 1335/2022 arising out of Ghagrapar P.S. Case No. 600/2021 under Sections 366A/370/371/511 of the IPC.

3. Heard Mr. B. B. Gogoi, learned Additional Public Prosecutor, Assam for the respondent State.
4. It is submitted on behalf of the petitioner that the petitioner was not aware about this case against him. Summons's were not issued against him and so he did not receive any summons. He was not aware till Charge-sheet was laid against him and thereafter summons's were issued against him.
5. It is also submitted on behalf of the petitioner that the victim is already married to another person. She has been recovered. It is submitted that the petitioner being involved in trafficking of the victim girl is a false allegation.
6. I have considered the submissions at the Bar. I have taken a pragmatic view.
7. The petitioner is willing to co-operate with the trial.
8. Considering all aspects, petitioner is directed to appear before the Jurisdictional Court within 15 days and apply for bail, which may be considered by the Court as per merits of the case.
9. Meanwhile, no coercive action to be taken till the appearance of the petitioner before the jurisdictional Court.

JUDGE

Comparing Assistant