

GAHC010120522024



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

Case No. : Bail Appln./1745/2024

MAFIZUL ISLAM
S/O MD. ABDUL MAJID
R/O GABRDHANA
DIST. BAKSA, ASSAM
PRESENT ADDRESS- PAMOHI,
P.S. GARCHUK,
DIST. KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR D MEDHI

Advocate for the Respondent : PP, ASSAM

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

25.06.2024

1. Heard Mr. K. Thakur, learned counsel for the petitioner.
2. This application has been filed by the petitioner under Section 439 of the

Cr.PC with prayer for bail as he is behind bars since 02.05.2024 in connection with Garchuk P. S. Case No. 134/2024 under Section 366 of the IPC.

3. Heard Mr. D. P. Goswami, learned Additional Public Prosecutor, Assam for the respondent State.

4. Learned Additional Public Prosecutor has raised serious objection against the petitioner. The allegation against the petitioner is that the petitioner abducted the 14 year old victim. It is submitted on behalf of the petitioner that a false case has been slammed against him. The petitioner himself is of tender age i.e., only 19 years old.

5. It is submitted on behalf of the petitioner that the petitioner is willing to co-operate with the remaining part of the investigation.

6. I have scrutinized the Case Diary. Investigation has progressed to a considerable extent.

7. It appears that bail may be granted. The petitioner is a local resident and is not a flight risk. The petitioner is willing to abide by any stringent bail conditions that may be imposed upon him.

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

9. Petitioner is enlarged on bail of Rs. 50,000/- with a suitable surety of like amount to the satisfaction of the learned CJM, Kamrup(M).

10. Send back the Case Diary.

JUDGE

Comparing Assistant