

GAHC010123472024



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

Case No. : AB/1602/2024

BABUL SK @ BABU
S/O LT. MONSER ALI, R/O VILL- ROGHUPARA, KHARUABANDA, P.S.-
SOUTH SALMARA, DIST-SOUTH SALMARA, MANKACHAR, ASSAM

VERSUS

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

2:HAFIZUR RAHMAN
S/O LT. JOMER ALI
VILL- TETULTOLA (SRIRAMPARA)
P.S.-SOUTH SALMARA
DIST-SOUTH SALMARA
MANKACHAR
ASSAM
PIN-78313

Advocate for the Petitioner : MR. J AHMED, MS M DAS, MRS M DAS

Advocate for the Respondent : PP, ASSAM, MR H DAS(R-2), MS. T SOM(R-2)

**BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

ORDER

17.09.2024

Heard Mr. J. Ahmed, learned counsel for the petitioner. Also heard Mr. M. P. Goswami, learned Additional Public Prosecutor for the State.

Notices were duly served upon the informant. The informant has engaged Ms. T. Som, learned counsel but she is not present, however, her junior namely, Ms. S. Som, learned counsel is present. She only submits that the informant is having objection to the prayer made and nothing more.

By this application under Section 438 of Code of Criminal Procedure, 1973, the petitioner, namely, **Babul Sk @ Babu** has approached this Court seeking the benefit of pre-arrest bail, apprehending his arrest, in connection with South Salmara Police Station Case No. 50/2024 registered under Sections 447/376(3)(i)/34 of IPC read with Section 6 of the POCSO Act.

This Court vide order dated 01.08.2024 has granted interim protection to the petitioner while, calling for up-to-date case diary.

The case diary is received. Perused the case diary including the statement of the victim girl.

From the perusal of the material available on record, it is seen that the present petitioner has been identified to be one of the four accused persons involved in the offence.

Considering the nature of offence and the manner it has been committed, the prayer of the petitioner stands rejected.

The interim protection granted to the petitioner under its order dated 01.08.2024 stands vacated.

Accordingly, this bail application stands disposed of.

Return back the case dairy.

JUDGE

Comparing Assistant