

GAHC010127892024



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

Case No. : Bail Appln./1910/2024

KHALILUR RAHMAN
S/O SAKAD ALI @ GHURAWALA
R/O GARAIMARI,
P.S. AND DIST. BONGAIGAON,
ASSAM

VERSUS

THE STATE OF ASSAM AND ANR.
REP BY THE PP, ASSAM

2:KERAMAT ALI
S/O MEGHA MANDAL
R/O VILL- GORAIMARI
P.S. AND DIST.
BONGAIGAON
ASSAM
PIN-78339

Advocate for the Petitioner : MR. M KHAN

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 25.07.2024

Heard Mr. M. Khan, learned counsel for the petitioner. Also heard Mr. P. Borthakur, learned Additional Public Prosecutor for the State respondent No. 1 and Mr. U. U. Khan, learned counsel appearing on behalf of respondent No. 2/informant.

This is an application under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail to the accused/ petitioner, who has been arrested in connection with Bongaigaon P.S. Case No. 141/2024, under Sections 363/376(2)(i) of the Indian Penal Code *read with* Section 6 of the POCSO Act.

The case was fixed today for production of the Case Diary; however, Mr. Borthakur, learned Additional Public Prosecutor, has submitted that the I.O. has already laid charge-sheet, vide Charge-Sheet No. 121/2024, dated 17.07.2024.

In this context, Mr. M. Khan, learned counsel for the petitioner, has submitted that the accused/petitioner is behind the bar for last 65 days and hence, considering his length of detention, he may be enlarged on bail.

Considering the submissions of learned counsels for both sides and also considering the fact that the case has already been charge-sheet, vide Charge-Sheet No. 121/2024, dated 17.07.2024, I do not find it appropriate to pass any

order on bail at this stage and accordingly, the accused/petitioner is hereby at liberty to approach the learned Court below with an appropriate application for bail, which shall be considered in accordance with law.

In terms of above, this bail application stands disposed of.

JUDGE

Comparing Assistant